

THURSDAY, MAY 24, 1984

EIGHTY-FIRST LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Rabbi Ken Kanter, Mitzuah Temple, Chattanooga, Tennessee.

Representative Sir led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present . . . . . 88

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --88.

The Speaker announced that Representative Moore (Sullivan) was excused because of a business conflict.

The Speaker announced that Representative Stafford was excused because of illness.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill No.:

2304--To define jurisdiction, municipal court, Alexandria; substituted for Senate Bill on same subject and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 247, 1481, 1486, 1523, 1637, 2061, 2210, 2213 and 2294; and House Joint Resolutions Nos. 265, 271, 273, 286, 317, 330, 336, 430, 432, 454, 469, 480, 492, 502, 515, 537, 538, 542, 543, 544, 548, 550, 572, 573, 582, 583, 584, 585 and 586; and find same correctly enrolled and ready for the signatures of the Speakers.

**MARILYN EVELYN HAND,**  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos. 295, 1080, 1253, 1313, 1400, 1408, 1424, 1437, 1457, 1511, 1528, 1566, 1643, 1704, 1762, 1764, 1800, 1819, 1876, 1965, 1995, 2073, 2086, 2106, 2116, 2138, 2176, 2231, 2236, 2242 and 2252; also, Senate Joint Resolutions Nos. 122, 142, 205, 244 and 248; all for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 247, 1481, 1486, 1523, 1637, 2061, 2210, 2213 and 2294; and House Joint Resolutions Nos. 265, 271, 273, 286, 317, 330, 336, 430, 432, 537, 454, 469, 480, 492, 502, 515, 537, 538, 542, 543, 544, 548, 550, 572, 573, 582, 583, 584, 585 and 586; Senate Bills Nos. 295, 1080, 1253, 1313, 1400, 1408, 1424, 1437, 1457, 1511, 1528, 1566, 1643, 1704, 1762, 1764, 1800, 1819, 1876, 1965, 1995, 2073, 2086, 2106, 2116, 2138, 2176, 2231, 2236, 2242 and 2252; and Senate Joint Resolutions Nos. 122, 142, 205, 244 and 248.

**REMARKS BY**

**REPRESENTATIVE VICTOR ELLIS**

**Mr. Speaker and Members of the House:**

In 1956, I was approached by political leaders and many personal friends to become a candidate for this legislative body.

It had been a dream of mine from the day that I visited this chamber as an elementary school to someday become a member of the Tennessee State Legislature.

Back in 1956, I was living out in the north end of the county—in Goodlettsville---and it had never had one of its citizens serve in the state legislature. I knew that in order to see my childhood dream come true I had to have some strong support in the southern part of the county---in Donelson.

At that time the man to see was serving on the old County Court. He was a widely respected community leader, a University of Tennessee football star, and a businessman.

On the way over to Donelson, I knew that my political future rested in the hands of this great leader. After listening to my appeal for his support and discussing some of the things he was interested in for his area that I could support, Squire Elmer W. Disspayne agreed to actively support me.

He didn't say that he would try to carry the area for me. He said that he would carry the area for me.

When the vote was being counted, I watched closely for the returns from Donelson. To make a long story short, I got more votes in the Donelson area than in any other area of the county. And the morning newspaper had a large front page headline: "Ellis Upsets Six Term Incumbent."

From that date on, Elmer Disspayne has been---and always will be---a strong personal friend of mine.

Tennessee is a better place to live today because of Representative Elmer Disspayne's many contributions to government.

House Joint Resolution 565 is laying on the Desk as a fitting and appropriate expression of the honor in which we hold our retiring colleague. I would like to make the necessary motion to call up House Joint Resolution 565 for passage.

I request that it be read and that every one who votes for it be listed as a sponsor---and, further, that my remarks be spread upon the House Journal of this date.

Thank you for your attention.

House Joint Resolution No. 565--Relative to honoring Representative Elmer W. Disspayne, Sr.

Mr. Ellis moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 565, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Shirley moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 596 out of order, which motion prevailed.

House Joint Resolution No. 596--Relative to honoring Grisanti's Restaurant--By Shirley.

Mr. Shirley moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 596, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Kelley moved that the rules be suspended for the immediate consideration of House Bill No. 2313 which motion prevailed.

House Bill No. 2313--To regulate voting, certain special districts.

Mr. Kelley moved that House Bill No. 2313 be passed on third and final consideration, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 83 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--83.

A motion to reconsider was tabled.

**CALENDAR**

On motion of Mr. Bivens, House Bill No. 1592 was withdrawn from the House.

House Bill No. 1384--To provided for partial payments of taxes.

Mr. Murphy moved that House Bill No. 1384 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1384 by substituting for Sections 1 and 2 thereof, the following:

**SECTION 1.** Tennessee Code Annotated, Section 67-1-801 is amended by adding language thereto, as follows:

(d) In all cases, where not otherwise provided, in which an officer, charged by law with the collection of revenue due the state, shall assess a tax liability or institute any proceeding or take any other steps to collect the amount so assessed, the person against whom the tax is assessed, if he conceives the assessment to be in error, may pay the full amount of tax liability at issue under protest by indicating in writing, at the time of payment, that such payment is being made under protest.

(e)(1) In any case where the commissioner of revenue, in his discretion, agrees to permit a taxpayer to pay the full amount of tax liability to the department in installments over an extended period of time, such payments may, at the taxpayer's discretion, be made under protest. In order for such payments to be considered to be made under protest, the written payment agreement, at the time of execution of the agreement by the taxpayer, must reflect that payments are to be considered under protest.

(2) No partial payment agreement shall contain provisions contrary to the provisions of this act.

(f) Any person, against whom tax has been assessed and who enters into an agreement with the department of revenue to pay the assessment of tax liability in installments over an extended period of time may, at any time after payment of at least thirty percent (30%) of the obligation stated on the agreement or within six (6) months after fully complying with such agreement, and not longer thereafter, sue the commissioner of revenue for recovery of the payments made. Provided however, that no such suit may be brought prior to the time thirty percent (30%) of such obligation is paid,

provided, further, that any breach of such agreement shall cause any payments made pursuant to such agreement to be considered to have been made voluntarily and not under protest. Provided, further that all payments to be made under the agreement shall continue to be made after any such suit is filed and that any breach of such agreement after such suit has been filed shall cause any payments made pursuant to such agreement to be considered to have been voluntarily made and not under protest. Any court having subject matter jurisdiction of such suit pursuant to this subsection shall lose subject matter jurisdiction of any such suit if any such agreement is breached during the pendency of such suit and such suit shall be immediately dismissed for lack of subject matter jurisdiction.

**SECTION 2.** This act shall take effect upon becoming law, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1384, as amended, passed its third and final consideration by the following vote:

|                                  |    |
|----------------------------------|----|
| Ayes . . . . .                   | 87 |
| Noes . . . . .                   | 0  |
| Present and not voting . . . . . | 4  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--87.

Representatives present and not voting were: Ellis, McAfee, Rhinehart and Robinson (Davidson)--4.

A motion to reconsider was tabled.

House Resolution No. 154--Relative to study, revolving loan fund for low income persons.

Mr. Dixon moved that House Resolution No. 154 be adopted, which motion prevailed by the following vote:

|                                  |    |
|----------------------------------|----|
| Ayes . . . . .                   | 82 |
| Noes . . . . .                   | 0  |
| Present and not voting . . . . . | 2  |

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, Kisber, Love, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--82.

Representatives present and not voting were: Atchley and McAfee--2.

A motion to reconsider was tabled.

Mr. Starnes moved that House Joint Resolution No. 527 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

**FURTHER CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 559**

House Joint Resolution No. 559--Relative to amending Constitution to authorize lotteries.

Mr. Johnson moved that House Joint Resolution No. 559 be passed on third reading.

At the request of the sponsor, House Joint Resolution No. 559 was read by the Clerk.

Thereupon, as required by Article XI, Section 3, Constitution of Tennessee, House Joint Resolution No. 559 passed its third reading by the following vote:

|                                  |    |
|----------------------------------|----|
| Ayes . . . . .                   | 50 |
| Noes . . . . .                   | 35 |
| Present and not voting . . . . . | 1  |

Representatives voting aye were: Bell, Bivens, Brewer, Chiles, Clark (Davidson), Covington, DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Elsea, Gafford, Gaia, Gill, Hassell, Hudson, Hurley, Jared, Johnson, Jones, Kent, Kernell, Kisber, Love, McKinney, McNally, Miller, Moore (Shelby), Murphy, Murray, Naifeh, Owen, Pickering, Rhinehart, Robinson (Washington), Severance, Stallings, Tanner, Ussery, Webb, Wheeler, Whitson, Williams, Withers, Wix, Work, Yelton and Mr. Speaker McWherter--50.

Representatives voting no were: Anderson, Atchley, Bewley, Bragg, Byrd, Cobb, Copeland, Crain, Davidson, Davis (Gibson), Dills, Ford, Frensley, Harrill, Henry, Hillis, Huskey, Kelley, King (Washington), McAfee, Montgomery, Moody, Nance, Percy, Robertson, Robinson (Davidson), Scruggs, Shirley, Sir, Smith, Turner (Hamilton), Turner (Shelby), Wallace, Wolfe and Wood--35.

Representative present and not voting was: Robinson (Hamilton)  
--1.

A motion to reconsider was tabled.

House Bill No. 1542--To change law, kidnapping.

Mr. Miller moved that House Bill No. 1542 be passed on third and final consideration, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 88 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--88.

A motion to reconsider was tabled.

House Bill No. 1824--To regulate professional boxing and wrestling.

On motion, House Bill No. 1824 was made to conform with Senate Bill No. 1935.

On motion, Senate Bill No. 1935, on same subject, was substituted for House Bill No. 1824.

Mr. Miller moved that Senate Bill No. 1935 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 1935 by deleting the effective date clause in its entirety and by substituting instead the following:



This act shall take effect on July 1, 1984, the public welfare requiring it; provided, however, the provisions of this act which add new subsection (b) (2) to Tennessee Code Annotated, Section 68-50-201, shall expire July 1, 1985.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1935, as amended, passed its third and final consideration by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 92 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

Mr. McKinney moved that the rules be suspended for the immediate consideration of House Bill No. 2311, which motion prevailed.

House Bill No. 2311--To authorize county election commissioners to split precincts.

Mr. McKinney moved that House Bill No. 2311 be passed on third and final consideration, which motion prevailed by the following vote:

|                                  |    |
|----------------------------------|----|
| Ayes . . . . .                   | 89 |
| Noes . . . . .                   | 1  |
| Present and not voting . . . . . | 1  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson

(Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

Representative voting no was: Sir--1.

Representative present and not voting was: Duer--1.

A motion to reconsider was tabled.

**FURTHER CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 570**

House Joint Resolution No. 570--Relative to amending Constitution, compensation of General Assembly.

Mr. Murphy moved that House Joint Resolution No. 570 be passed on third reading.

At the request of the sponsor, House Joint Resolution No. 570 was read by the Clerk.

Thereupon, as required by Article XI, Section 3, Constitution of Tennessee, House Joint Resolution No. 570 passed its third reading by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 75 |
| Noes . . . . . | 17 |

Representatives voting aye were: Anderson, Atchley, Bell, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Disspayne, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), Kisber, Love, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wheeler, Williams, Withers, Wix, Wood, Work and Yelton--75.

Representatives voting no were: Bewley, Bivens, Dills, Ford, Harrill, Hudson, Kelley, King (Washington), McAfee, McNally, Owen, Percy, Wallace, Webb, Whitson, Wolfe and Mr. Speaker McWherter --17.

A motion to reconsider was tabled.

Mr. Jones moved that House Bill No. 1372 be withdrawn from the House, which motion prevailed.

House Bill No. 777--To authorize bond issue for state office building, Knoxville.

Mr. Miller moved that House Bill No. 777 be passed on third and final considration.

Mr. Bragg moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 777 by adding a new Section 10 as follows and redesignating subsequent sections accordingly:

Section 10. No bonds shall be issued pursuant to the provisions of this act until the pre-planning process conducted by the state building commission is completed. Further, any bonds issued under the provisions of this act shall be subject to the approval of the commissioner of finance and administration.

On motion, the amendment was adopted.

Thereupon, House Bill No. 777, as amended, passed its third and final consideration by the following vote:

|                                  |    |
|----------------------------------|----|
| Ayes . . . . .                   | 87 |
| Noes . . . . .                   | 0  |
| Present and not voting . . . . . | 3  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--87.

Representatives present and not voting were: Nance, Shirley and Withers--3.

A motion to reconsider was tabled.

Mr. Bragg moved that House Bill No. 2014 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

**INTRODUCTION OF RESOLUTIONS**

House Resolution No. 168--Relative to commending Tim Huckaby--By Gill.

House Resolution No. 169--Relative to commending community of Skullbone--By Davis (Gibson).

House Resolution No. 170--Relative to commending Mr. Bill Edwards--By Montgomery, Yelton, Hurley and Moore (Sullivan).

House Resolution No. 171--Relative to memory, Mack Brothers--By Owen, Murphy, Covington, Davidson, Cobb and Chiles.

House Resolution No. 172--Relative to Tennessee Garden Club Week--By Owen.

On motion the rules were suspended to add House Resolutions Nos. 168, 169, 170, 171 and 172 to the Consent Calendar.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

2270--To amend Charter, Humboldt;

2276--To amend Chapter 144, Private Acts 1975; both passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**CONSENT CALENDAR**

**OBJECTION**

An objection was filed to the following bill on the Consent Calendar:

Mr. Kelley objected to House Bill No. 2314.

Senate Joint Resolution No. 211--Relative to establishing policies, employment, certain faculty members.

Senate Joint Resolution No. 222--Relative to study, financial stability, political sub-divisions.

House Resolution No. 169--Relative to commending community of Skullbone.

House Resolution No. 170--Relative to commending Mr. Bill Edwards.

- House Resolution No. 171--Relative to memory, Mack Brothers.
- House Resolution No. 172--Relative to Tennessee Garden Club Week.
- House Resolution No. 168--Relative to commending Tim Huckaby.
- House Bill No. 2309--To amend charter, Humboldt.

On motion, House Bill No. 2309 was made to conform with Senate Bill No. 2270.

On motion, Senate Bill No. 2270, on same subject, was substituted for House Bill No. 2309.

House Bill No. 2312--To change term, Trenton Special School District board members.

On motion, House Bill No. 2312 was made to conform with Senate Bill No. 2276.

On motion, Senate Bill No. 2276, on same subject, was substituted for House Bill No. 2312.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 92 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

On motion of Mr. Kelley House Bill No. 2314 was held on the clerk's desk.

**BILL RECALLED**

On motion of Mr. Rhinehart, Senate Bill No. 1476 was recalled from the Senate for further consideration.

Mr. Hillis moved that the rules be suspended for the purpose of introducing House Resolution No. 166 out of order, which motion prevailed.

House Resolution No. 166--Relative to recalling House Bill No. 1548 from Governor--By Hillis and DePriest.

Mr. Hillis moved that the rules be suspended for the immediate consideration of House Resolution No. 166, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

On motion, Senate Joint Resolution No. 154 was recalled from the Committee on Calendar and Rules.

Mr. Kernell moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 154 out of order, which motion prevailed.

Senate Joint Resolution No. 154--Relative to study polygraph testing.

Mr. Kernell moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 154, which motion prevailed.

Mr. Kernell moved that Senate Joint Resolution No. 154 be concurred in, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 86 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--86.

A motion to reconsider was tabled.

Mr. Ussery moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 258 out of order, which motion prevailed.

Senate Joint Resolution No. 258--Relative to Fort Campbell, Light Infantry Division.

Mr. Ussery moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 258, which motion prevailed.

On motion, the resolution was concurred in.

A motion to reconsider was tabled.

Mr. Yelton moved that the rules be suspended for the immediate consideration of House Bill No. 2310, which motion prevailed.

House Bill No. 2310--To authorize taxes, certain highway construction.

On motion, House Bill No. 2310 was made to conform with Senate Bill No. 2207.

On motion, Senate Bill No. 2207, on same subject, was substituted for House Bill No. 2310.

Mr. Yelton moved that Senate Bill No. 2207 be passed on third and final consideration, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 91 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--91.

A motion to reconsider was tabled.

Mr. Elsea moved that the rules be suspended for the immediate consideration of House Bill No. 2306, which motion prevailed.

House Bill No. 2306--To make certain provisions, board of commissioners, Hamilton County.

Mr. Elsea moved that House Bill No. 2306 be passed on third and final consideration, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 89 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--89.

A motion to reconsider was tabled.

Mr. Elsea moved that the rules be suspended for the immediate consideration of House Bill No. 2307, which motion prevailed.

House Bill No. 2307--To make certain provisions, Hamilton County Executive.

Mr. Elsea moved that House Bill No. 2307 be passed on third and final consideration, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 92 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--92.



A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return Senate Bill No. 1476, as requested.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

FURTHER CONSIDERATION OF SENATE BILL NO. 1476

Senate Bill No. 1476--To levy severance tax, certain minerals, county government.

Mr. Rhinehart moved that the motion to reconsider Senate Bill No. 1476 be lifted from the table, which motion prevailed.

Mr. Rhinehart moved that the House reconsider its action in passing Senate Bill No. 1476 on third and final consideration, as amended, which motion prevailed.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 1476 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in counties having a population of:

| not less than | nor more than |
|---------------|---------------|
| 84,000        | 84,100        |
| 16,360        | 16,450        |
| 19,500        | 19,575        |

according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1476, as amended, passed its third and final consideration by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 92 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson),

Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

On motion of Mr. Byrd, Senate Bill No. 100 was recalled from the Senate.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, Senate Bill No. 100, as requested.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**FURTHER CONSIDERATION OF SENATE BILL NO. 100**

Senate Bill No. 100--To regulate custody and deposit, certain county funds.

Mr. Byrd moved that the motion to reconsider Senate Bill No. 100 be lifted from the table, which motion prevailed.

Mr. Byrd moved that the House reconsider its action in passing Senate Bill No. 100 on third and final consideration, as amended, which motion prevailed.

Mr. Byrd moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 100 by deleting from Section 2 the date "September 1, 1983" and substituting instead the date "September 1, 1984".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 100, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 86  
Noes . . . . . 2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--86.

Representatives voting no were: Severance and Nance--2.

A motion to reconsider was tabled.

**HOUSE JOINT RESOLUTION ON SENATE AMENDMENT**

House Joint Resolution No. 275--Relative to approving amendments to Rules of Criminal Procedure.

**SENATE AMENDMENT NO. 1**

Amend House Joint Resolution No. 275 by adding the following language between the second and third paragraphs of said resolution, to wit:

"Whereas, on May 11, 1984, the said Supreme Court entered an order modifying the proposed amendments by deleting the proposed amendment to Rule 41 (c) and the applicable comment thereto and said order was filed with the House and Senate Clerks on May 14, 1984."

and by striking the language of the resolving clause in its entirety and substituting instead the following language, to wit:

"NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 93RD GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the amendments and revisions to the Tennessee Rules of Criminal Procedure as promulgated and adopted by the Supreme Court in its order dated January 31, 1984, as modified by its order of May 11, 1984, copies of which were filed with the House and Senate Clerks on January 31, 1984, and May 11, 1984, as aforesaid, are hereby ratified and approved."

Mr. Murphy moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes . . . . . 85  
Noes . . . . . 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work and Yelton--85.

A motion to reconsider was tabled.

**FURTHER CONSIDERATION OF AMENDED BILL**

Senate Bill No. 688--To amend Title 55, Chapter 8, Code.

Ms. DeBerry moved that the House refuse to recede from its action in adopting Amendments Nos. 1 and 2 to Senate Bill No. 688, which motion prevailed.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1169--To exempt certain materials from severance tax; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 1169--To exempt certain materials from severance tax.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 1169 by adding the following language as a new section.

SECTION \_\_\_\_ . The provisions of this act shall not apply to counties having a population of not less than six thousand eight hundred twenty-five (6,825) persons nor more than six thousand eight hundred seventy-five (6,875) persons, counties with a population of not less than eight thousand six hundred fifty

(8,650) persons nor more than eight thousand seven hundred fifty (8,750) persons, counties having a population of not less than fifteen thousand nine hundred (15,900) persons nor more than sixteen thousand (16,000) persons, counties having a population of not less than thirty thousand (30,000) persons nor more than thirty thousand one hundred (30,100) persons, nor to counties having a population of not less than eighty-three thousand three hundred (83,300) persons nor more than eighty-three thousand four hundred (83,400) persons, all according to the 1980 federal census, or any subsequent federal census.

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 1169 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply in counties having a population of

| not less than | nor more than |
|---------------|---------------|
| 6,825         | 6,875         |
| 8,650         | 8,750         |
| 15,900        | 16,000        |
| 30,000        | 30,100        |
| 83,300        | 83,400        |

according to the 1980 federal census of population or any subsequent federal census.

**SENATE AMENDMENT NO. 7**

Amend House Bill No. 1169 by deleting the following figures (i.e., population ranges) from the county exclusion sections as set out in House Amendments #4 and #7 in Section 5 of the bill:

| not less than | nor more than |
|---------------|---------------|
| 12,700        | 12,750        |
| 23,850        | 23,900        |
| 22,250        | 22,300        |
| 20,300        | 21,000        |
| 25,300        | 25,400        |
| 22,500        | 22,550        |
| 21,350        | 21,400        |

**SENATE AMENDMENT NO. 8**

Amend House Bill No. 1169 by adding the following as a new section immediately before the effective date section and by numbering such sections accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in any county having a population according to the 1980 federal census or any subsequent federal census of

- not less than 28,660 or more than 28,690, and
- not less than 14,800 or more than 14,850, and
- not less than 16,575 or more than 16,675, and
- not less than 17,550 or more than 17,650, and
- not less than 48,400 or more than 48,500, and
- not less than 19,200 or more than 19,300.

**SENATE AMENDMENT NO. 9**

Amend House Bill No. 1169 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in counties having a population of

| not less than | nor more than |
|---------------|---------------|
| 41,800        | 42,000        |
| 24,400        | 24,500        |
| 24,200        | 24,300        |
| 13,770        | 13,800        |
| 9,450         | 9,500         |
| 8,600         | 8,650         |
| 7,400         | 7,450         |
| 4,700         | 4,800         |

according to the 1980 federal census of population or any subsequent federal census.

**SENATE AMENDMENT NO. 10**

Amend House Bill No. 1169 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply in counties having a population of

| not less than | nor more than |
|---------------|---------------|
| 67,500        | 67,600        |
| 28,690        | 28,750        |
| 28,500        | 28,600        |

according to the 1980 federal census of population or any subsequent federal census.

**SENATE AMENDMENT NO. 12**

Amend House Bill No. 1169 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply in counties having a population of

|               |               |
|---------------|---------------|
| not less than | nor more than |
| 85,700        | 86,000        |

according to the 1980 federal census of population or any subsequent federal census.

**SENATE AMENDMENT NO. 14**

Amend House Bill No. 1169 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply in counties having a population of

|               |               |
|---------------|---------------|
| not less than | nor more than |
| 49,200        | 49,400        |
| 31,200        | 31,300        |
| 28,750        | 28,800        |
| 16,700        | 16,800        |
| 11,700        | 11,800        |

according to the 1980 federal census of population or any subsequent federal census.

**SENATE AMENDMENT NO. 15**

Amend House Bill No. 1169 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply in counties having a population of

|               |               |
|---------------|---------------|
| not less than | nor more than |
| 27,900        | 28,000        |
| 19,600        | 19,750        |

according to the 1980 federal census of population or any subsequent federal census.

**SENATE AMENDMENT NO. 16**

Amend House Bill No. 1169 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply in counties having a population of

not less than

nor more than

54,000

55,000

6,880

6,900

according to the 1980 federal census of population or any subsequent federal census.

**SENATE AMENDMENT NO. 17**

Amend House Bill No. 1169 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply in counties having a population of

not less than

nor more than

50,200

50,300

according to the 1980 federal census of population or any subsequent federal census.

**SENATE AMENDMENT NO. 18**

Amend House Bill No. 1169 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provision of this act shall not apply in counties having a population of

not less than

nor more than

47,600

47,700

9,300

9,400

7,600

7,700

4,300

4,400

according to the 1980 federal census of population or any subsequent federal census.



**SENATE AMENDMENT NO. 19**

Amend House Bill No. 1169 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

**SECTION \_\_\_\_.** The provisions of this act shall not apply in counties having a population of

not less than

nor more than

67,300

67,400

34,900

35,000

according to the 1980 federal census of population or any subsequent federal census.

**SENATE AMENDMENT NO. 20**

Amend House Bill No. 1169 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

**Section \_\_\_\_.** The provisions of this act shall not apply in any county having a population of not less than 319,625 nor more than 319,725 according to the 1980 federal census or any subsequent federal census.

**SENATE AMENDMENT NO. 21**

Amend House Bill No. 1169 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

**SECTION \_\_\_\_.** The provisions of this act shall not apply in counties having a population of

not less than

nor more than

51,000

52,000

13,900

14,000

according to the 1980 federal census of population or any subsequent federal census.

**SENATE AMENDMENT NO. 22**

Amend House Bill No. 1169 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

**SECTION \_\_\_\_.** The provisions of this act shall not apply in counties having a population of

|               |               |
|---------------|---------------|
| not less than | nor more than |
| 9,650         | 10,000        |

according to the 1980 federal census of population or any subsequent federal census.

SENATE AMENDMENT NO. 25

Amend House Bill No. 1169 by deleting from Section 5 the following:

"any county having a population greater than 750,000".

SENATE AMENDMENT NO. 26

Amend House Bill No. 1169 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in counties having a population of:

|               |               |
|---------------|---------------|
| not less than | nor more than |
| 24,500        | 24,560        |

according to the 1980 federal census of population or any subsequent federal census.

Mr. King (Washington) moved that the House concur in Senate Amendments Nos. 1, 2, 7, 8, 9, 10, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 25 and 26, which motion prevailed by the following vote:

|                                  |    |
|----------------------------------|----|
| Ayes . . . . .                   | 84 |
| Noes . . . . .                   | 1  |
| Present and not voting . . . . . | 1  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Yelton--84.

Representative voting no was: Sir--1.

Representative present and not voting was: Nance--1.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, Senate Bill No.:

1273--To regulate Elk River Development Agency.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 1273**

The Conference Committee on the above-mentioned bill met on Wednesday, May 16, 1984 in Suite #5 of the Legislative Plaza.

The motion was made by Representative Bill McAfee and seconded by Representative C. E. DePriest to:

To remove House Amendment #2 in its entirety.

To retain House Amendment #1 relative to "EMINENT DOMAIN"

To retain House Amendment #1 relative to "SUNSET PROVISIONS".

Sen. Bill Ricahrdson

Rep. Bill McAfee

Sen. John T. Hicks

Rep. C. E. DePriest

Sen. Robert Burleson

Rep. Paul C. Scruggs

Mr. King (Shelby) moved that the Report of the Conference Committee on Senate Bill No. 1273 be adopted and made the action of the House, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 82 |
| Noes . . . . . | 2  |

Representatives voting aye were: Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Naifeh, Nance, Napier, Owen, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson

(Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--82.

Representatives voting no were: DeBerry and Murray--2.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1436--To clarify definition of subdivision; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 1436--To clarify definition of subdivision.

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 1436 by inserting the following new section before the effective date section and by renumbering the effective date section accordingly:

SECTION \_\_\_\_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

**SENATE AMENDMENT NO. 3**

Amend House Bill No. 1436 by adding before the effective date section the following new sections and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 13-3-401, is amended by adding at the end of the definition of "subdivision" the following language:

provided, further, in the incorporated municipalities of any county having a population of not less than twenty four thousand four hundred (24,400) nor more than twenty four thousand five hundred (24,500), according to the 1980 federal census or any subsequent federal census, "subdivision" shall include a division of any tract or

parcel of land into two (2) or more tracts or parcels if such parts or parcels are two (2) acres or larger in size and if no water or sewer services are available to the tracts or parcels and if the county environmentalist has approved the site;

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 13-4-301, is amended by adding at the end of the definition of "subdivision" the following language:

provided, further, in the incorporated municipalities of any county having a population of not less than twenty four thousand four hundred (24,400) nor more than twenty four thousand five hundred (24,500), "subdivision" shall include a division of any tract or parcel of land into two (2) or more tracts or parcels if such parts or parcels are two (2) acres or larger in size and if no water or sewer services are available to the tracts or parcels and if the county environmentalist has approved the site;

**SENATE AMENDMENT NO. 4**

Amend House Bill No. 1436 by adding a new section thereto as follows:

Section \_\_\_\_ . Tennessee Code Annotated, Section 13-3-401, is further amended by deleting from the definition of "subdivision" the following language:

"Subdivision" means the division of a tract or parcel of and into two (2) or more lots, sites, or other divisions for the purpose,

and by substituting instead the following:

"Subdivision" means the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of five (5) acres or less or of more than five (5) acres but less than ten (10) acres in size with depths greater than four (4) times their widths of the purpose,

**SENATE AMENDMENT NO. 5**

Amend House Bill No. 1436 by deleting Section 1 through 4 in their entirety and substituting instead the following new sections:

SECTION 1. Tennessee Code Annotated, Section 13-3-401, is amended by deleting from the definition of "subdivision" the following language:

"Subdivision" means the division of a tract or parcel of land into two (2) or more lots, sites or other divisions

for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or area subdivided, provided, however, that "subdivision" does not include a division of any tract or parcel of land into two (2) or more tracts or parcels when such parts or parcels are five (5) acres or larger in size;"

and by substituting instead the following:

"Subdivision" means the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of five (5) acres or less or of more than five (5) acres but less than ten (10) acres in size with depths greater than four (4) times their widths for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided;

**SECTION 2.** Tennessee Code Annotated, Section 13-4-301, is amended by deleting the following language:

"Subdivision" means the division of a tract or parcel of land into two (2) or more lots, sites or other division of less than five (5) acres or of more than five (5) acres but less than ten (10) acres in size with depths greater than four (4) times their widths for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or area subdivided;"

and by substituting instead the following:

"Subdivision" means the division of a tract or parcel of land into two (2) or more lots, sites, or other divisions requiring new street or utility construction, or any division of five (5) acres or less or of more than five (5) acres but less than ten (10) acres in size with depths greater than four (4) time their widths for the purpose, whether immediate or future, of sale or building development, and includes resubdivision and when appropriate to the context, relates to the process of resubdividing or to the land or area subdivided;

**SECTION 3.** The provisions of this act shall not apply in any county having a population of not less than thirty two thousand seven hundred (32,700) nor greater than thirty two thousand seven hundred sixty (32,760) according to the federal census of 1980 or any subsequent federal census.

**SECTION 4.** If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

**SECTION 5.** This act shall take effect on becoming law, the public welfare requiring it.

Mr. Moore (Shelby) moved that the House concur in Senate Amendments Nos. 2, 3 and 5, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 79 |
| Noes . . . . . | 10 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frensley, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe and Wood--79.

Representatives voting no were: Buck, Ford, Gafford, Hurley, Huskey, Kisber, Moody, Rhinehart, Stallings and Work--10.

Mr. Moore (Shelby) moved that the House nonconcur in Senate Amendment No. 4 to House Bill No. 1436, which motion prevailed.

#### **MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill No.:

1581--To authorize county medical examiner to order autopsies; substituted for Senate Bill on same subject, amended, and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

#### **HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 1581--To authorize county medical examiner to order autopsies.

**SENATE AMENDMENT NO. 3**

Amend House Bill No. 1581 by deleting the first three sentences of Section 1 in their entirety and by substituting in lieu thereof the following language:

The county medical examiners are hereby given the authority to order an autopsy in those cases involving homicides or suspected homicides on the body of any person. The county medical examiner shall notify the district attorney general of the decision to order an autopsy at the time of the decision. The district attorney general may order an autopsy in cases of homicides or suspected homicides on the body of any person in the absence of the county medical examiner or the failure of the county medical examiner to act.

Mr. Kent moved that the House concur in Senate Amendment No. 3, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 92 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--92.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 1622--To create board of social workers.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 1622 by deleting Section 2 in its entirety and by substituting in lieu thereof the following:

**SECTION 2.** Tennessee Code Annotated, Section 4-29-207, is amended by inserting the following language as a new, appropriately numbered item:

- ( ) board of social worker certification and licensure, created by Section 63-20-101;



**SENATE AMENDMENT NO. 2**

Amend House Bill No. 1622 as follows:

1. The first paragraph of Section 1 of the Act is hereby amended by deleting the paragraph in its entirety and substituting in lieu thereof the following new language and paragraph:

There is created the board of social worker certification and licensure. The board shall consist of five (5) members who shall be residents of the state, and who shall be appointed by the governor. Initial appointments to the board shall be as follows:

one (1) independent practitioner for a term of one (1) year: one (1) person, who is not directly or indirectly engaged in the social work profession, for a term of two (2) years: one (1) certified master social worker for a term of four (4) years: and one (1) certified master social worker for a term of five (5) years. All board members, except the member who is not directly or indirectly engaged in social work, shall be duly registered or eligible to be registered by the board. Subsequent appointees to the board shall possess the professional qualifications required by their predecessors as herein required and shall be appointed to five (5) year terms. Members shall serve until their successors are appointed and qualified. Any vacancy occurring on the board shall be filled by the governor for the balance of the unexpired term. A board member who has served a five (5) year term shall not be eligible for reappointment during the one (1) year period following the appointment of his successor. The Tennessee Chapter of the National Association of Social Workers may submit a list of at least three (3) nominees for each appointment or vacancy to be filled and the governor may make his appointment from such list.

**SENATE AMENDMENT NO. 3**

Amend House Bill No. 1622 by adding to Section 1 in the section marked as TCA Section 63-20-108 after the language reading "...and nothing in this act shall be construed to require any such privileged communication to be disclosed." the following sentence:

However, nothing in this section shall be construed to prevent disclosure of confidential communications in proceedings in which the welfare of children is at issue, to include but not limited to, proceedings for adoption, proceedings under Chapter 15 of Title 37 concerning development of foster care plans, proceedings to terminate parental rights, and proceedings arising under Chapter 12 of Title 37 concerning mandatory child abuse reports.

**SENATE AMENDMENT NO. 4**

Amend House Bill No. 1622 by deleting from the Third Sentence of Section 1, 63-20-101 the words and figures "one (1) independent practitioners for a term of one (1) year" and by substituting instead the words and figures

"two (2) independent practitioners for terms of one (1) year and four (4) years respectively;"

AND FURTHER AMEND by deleting from the Third sentence of Section 1, 63-20-101, the words and figures "one (1) certified bachelor social worker for a term of four (4) years;"

AND FURTHER AMEND by deleting Section 1, 63-20-102.

AND FURTHER AMEND by deleting from the first sentence of Section 1, 63-20-105, the words "bachelor and".

AND FURTHER AMEND by deleting from Section 1, 63-20-108, the words and symbol "a certified bachelor social worker, or".

Mr. King (Shelby) moved that the House concur in Senate Amendments Nos. 1, 2, 3 and 4, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 86 |
| Noes . . . . . | 3  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--86.

Representatives voting no were: Bragg, Chiles and McAfee--3.

A motion to reconsider was tabled.

**FURTHER CONSIDERATION OF SENATE BILL NO. 1386**

Senate Bill No. 1386--To make certain provisions, offense of aggravated assault.

Mr. King (Shelby) moved that the motion to reconsider Senate Bill No. 1386 be lifted from the table, which motion prevailed.

Mr. King (Shelby) moved that the House reconsider its action in passing Senate Bill No. 1386 on third and final consideration, as amended, which motion prevailed.

Thereupon, Senate Bill No. 1386, as amended, passed its third and final consideration by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 91 |
| Noes . . . . . | 1  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--99.

Representative voting no was: Moody--1.

Mr. King (Shelby) moved that the House refuse to recede from its action in adopting Amendment No. 1 to Senate Bill No. 1386, which motion prevailed.

**FURTHER CONSIDERATION OF SENATE BILL NO. 1699**

Senate Bill No. 1699--To make certain provisions, certain public records.

Mr. Murphy moved that the motion to reconsider Senate Bill No. 1699 be lifted from table, which motion prevailed.

Mr. Murphy moved that the House reconsider its action in passing Senate Bill No. 1699 on third and final consideration, as amended, which motion prevailed.

Mr. Murphy moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Murphy moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 1699, as amended, passed its third and final consideration by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 90 |
| Noes . . . . . | 1  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work and Yelton--90.

Representative voting no was: Chiles--1.

A motion to reconsider was tabled.

**FURTHER CONSIDERATION OF SENATE BILL NO. 1730**

Senate Bill No. 1730--To make certain provisions, fire protection sprinkler systems.

Mr. Clark (Sumner) moved that the motion to reconsider Senate Bill No. 1730 be lifted from the table, which motion prevailed.

Mr. Clark (Sumner) moved that the House reconsider its action in passing Senate Bill No. 1730 on third and final consideration, as amended, which motion prevailed.

Mr. Clark (Sumner) moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. McKinney moved to amend Amendment No. 1 as follows:

**AMENDMENT NO. 1 TO AMENDMENT NO. 1**

Amendment number one is hereby amended by removing the period (.) after the word "Act" adding a comma (,) and inserting the following new language:

Provided the person;

- 1) submits an application to the Division of Fire Prevention prior to December 31, 1984 and,
- 2) gives evidence of work performed by contracts for systems in excess of 500 heads during the three (3) years prior to making application and,

(3) gives evidence of working drawings performed by the person including fire pumps, standpipes, underground, scheduled and calculated systems.

It is further amended by adding the following new paragraph:

"All persons making application under the grandfather provision shall employ a certified Level III Engineering Technician prior to renewal of his license in 1986.

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Thereupon, Amendment No. 1, as amended, was adopted.

Thereupon, Senate Bill No. 1730, as amended, passed its third and final consideration by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 89 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--89.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 1849--To provide services for mentally ill persons.

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 1849 by deleting from item 33-3-01. of SECTION 5 the phrase "SECTION 35" and by substituting instead "SECTION 34";

and is further amended by deleting from SECTION 10 the phrase "SECTION 35" and by substituting instead "SECTION 34".

**SENATE AMENDMENT NO. 4**

Amend House Bill No. 1849 by inserting the following new SECTION immediately before the effective date section and by renumbering the effective date section accordingly:

"SECTION \_\_\_\_ . T.C.A. Title 33, Chapter 6 is amended by the addition of the following new section:

Counties may contract with community mental health centers or contract with or designate ambulance services to assist the sheriff's office by the detention or transportation of persons who are subject to detention or transportation by the sheriff under Title 33, Chapter 6. In the performance of the contract or designation the center or ambulance service shall have the same duties as and the same authority as the sheriff under Title 33, Chapter 6 in the detention or transportation of such persons."

**SENATE AMENDMENT NO. 5**

Amend House Bill No. 1849 by deleting from SECTION 5 the last sentence of 33-3-04 and by substituting instead the following sentence:

"An attorney representing the transferee shall not serve as guardian ad litem."

AND FURTHER AMEND by adding the following sentence to SECTION 21:

T.C.A. 33-367 is further amended by deleting the third sentence and by substituting instead the following:

"An attorney representing the defendant shall not serve as guardian ad litem."

AND FURTHER AMEND by deleting from SECTION 32 the last sentence of 33-619 (3) and by substituting the following sentence:

"An attorney representing the patient shall not serve as guardian ad litem."

AND FURTHER AMEND by inserting the following new SECTION immediately before the effective date section and by renumbering the effective date section accordingly:

SECTION \_\_\_\_ . T.C.A. 33-603 (r) is amended by deleting the third sentence and by substituting instead the following:

"An attorney representing the defendant shall not serve as guardian ad litem."

**AMENDMENT NO. 1 TO AMENDMENT NO. 5**

Amend Senate Amendment Number 5 by deleting the following from the language amending SECTION 5:

"An attorney representing the transferee shall not serve as guardian ad litem."

and by substituting instead the following:

"An attorney representing the transferee shall not serve as guardian ad litem. If the court determines that the transferee is not able to understand the nature of the proceedings and cannot communicate with counsel in the conduct of the case, the court may appoint another person to serve as the transferee's guardian ad litem.";

AND FURTHER AMEND by amending Senate Amendment Number 5 by deleting the following from the language amending SECTION 21:

"An attorney representing the defendant shall not serve as guardian ad litem."

and by substituting instead the following:

"An attorney representing the defendant shall not serve as guardian ad litem. If the court determines that the defendant is not able to understand the nature of the proceedings and cannot communicate with counsel in the conduct of the case, the court may appoint another person to serve as the defendant's guardian ad litem.";

AND FURTHER AMEND by amending Senate Amendment Number 5 by deleting the following from the language amending SECTION 32:

"An attorney representing the patient shall not serve as guardian ad litem."

and by substituting instead the following:

"An attorney representing the patient shall not serve as guardian ad litem. If the court determines that the patient is not able to understand the nature of the proceedings and cannot communicate with counsel in the conduct of the case, the court may appoint another person to serve as the patient's guardian ad litem.";

AND FURTHER AMEND by amending Senate Amendment Number 5 by deleting the following language:

SECTION \_\_\_\_ . T.C.A. 33-603 (r) is amended by deleting the third sentence and by substituting instead the following:

"An attorney representing the defendant shall not serve as guardian ad litem."

and by substituting instead the following:

SECTION \_\_\_\_ . T.C.A. 33-603 (r) is amended by deleting the third sentence and by substituting instead the following:

"An attorney representing the defendant shall not serve as guardian ad litem. If the court determines that the defendant is not able to understand the nature of the proceedings and cannot communicate with counsel in the conduct of the case, the court may appoint another person to serve as the defendant's guardian ad litem."

Mr. Scruggs moved that the House concur in Senate Amendments Nos. 2, 4 and 5, as amended, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 90 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--90.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 1975--To provide seizure, certain contraband property.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 1975 by adding a new section, as follows:

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 55-5-108 (b) (5), is amended by deleting the period at the end of the first sentence and adding the following:



; provided, however, after the hearing is conducted a decision shall be rendered within forty-five (45) days unless good cause is shown why a longer time may be required.

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 1975 by adding a new section thereto, as follows:

**SECTION \_\_\_\_.** Tennessee Code Annotated, Section 55-5-108 (b) (5), is further amended by inserting between the second and third sentences a new sentence, as follows:

The commissioner may waive reimbursement for any or all towing, preservation, or storage charges as the equities of the case may require.

Mr. Wix moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 90 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--90.

A motion to reconsider was tabled.

**REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL NO. 1977**

The House and Senate Conference Committees appointed pursuant to motions to resolve differences between the two houses on Senate Bill No. 2069/House Bill No. 1977 have met and recommend that House amendment 1 as amended, House amendment 2 as amended, House amendments 5, 7, 8, 10, 11, 12, House amendment 14 as amended, and House amendment 19 be adopted; that Senate amendments 22 and 29 be adopted; that House amendment 3 as amended, House amendments 4, 6 and 9, amendment 1 to House amendment 10, House amendment 18 as amended, and House amendments 15, 20 and 22 be deleted; and that Senate amendments 11, 20, 23 and 24 be deleted.

It is further recommended that the bill be amended by adding the following to the end of Section 6(19)(a):

Notwithstanding any other provision of this act to the contrary, from September 1, 1984 until September 1, 1988, the chancellor currently residing in the Nineteenth Judicial District shall also serve as chancellor for Stewart County in the Twenty-Third Judicial District.

The circuit court judge elected in 1984 to serve Part I of the circuit court of the Nineteenth Judicial District shall be a resident of Robertson County but shall serve the entire district. In any subsequent election for Part I of such circuit court, the judge may be a resident of any county within the district. Notwithstanding any other provisions of this act to the contrary, from September 1, 1984 until September 1, 1986, the circuit judge for the Nineteenth Judicial District shall be authorized to sit by interchange in the Eighteenth Judicial District when requested to do so by the judges of the Eighteenth Judicial District. During such two (2) year period, nothing other than the agreement of the judges involved shall be necessary to effectuate such an interchange.

It is further recommended that the bill be amended by adding the following to the end of Section 6(18)(a):

Notwithstanding any other provision of this act to the contrary, from September 1, 1984 until September 1, 1990, the circuit court judge currently residing in the Eighteenth Judicial District shall also serve the Nineteenth Judicial District.

It is further recommended that the bill be amended by deleting the last sentence of Section 6(6)(a) and substituting instead the following:

In 1986, the qualified voters of the Sixth Judicial District shall elect an additional chancellor in accordance with the provisions of Section 5 of this act to serve Part III of the chancery court of such district.

It is further recommended that the bill be amended by adding the following to the end of Section 6(4)(a):

Notwithstanding any other provision of law or this act to the contrary, from September 1, 1984 until September 1, 1992, the chancellor currently residing in the Fourth Judicial District shall also serve the Fifth Judicial District. As long as the chancellor for the Fourth Judicial District also serves the Fifth Judicial District, such chancellor shall be elected by the qualified voters of both such districts.

It is further recommended that the bill be amended by deleting the final sentence of Section 6(30)(a) and substituting instead the following:

In 1984, the qualified voters of the Thirtieth Judicial District shall elect an additional judge in accordance with the provisions of Section 5 of this act to serve Part IX of the circuit court of such district.

It is further recommended that the bill be amended by deleting subsections (a) and (c) of Section 13 and substituting instead the following:

(a) By February 1, 1988, the judicial council shall submit to both judiciary committees of the general assembly a weighted caseload formula to determine the need for additional judges in judicial districts. If such formula cannot be accurately developed by such date, it shall be submitted as soon as possible but in no event later than February 1, 1990. If such formula is available in 1988 and has been approved by such committees, any judicial district in which an additional judge is justified by use of such formula on or after February 1, 1988 shall be entitled to elect an additional judge at the regular election next following such district's justification. Nothing in this subsection shall be construed as affecting or altering the additional judges created in 1988 and 1990 by the provisions of Section 6 of this act.

It is further recommended that the bill be amended by inserting the following between the second and third sentences of Section 6(2)(a):

Effective September 1, 1984, the law and equity court currently located in Sullivan County shall become a chancery court for the Second Judicial District and the current law and equity judge shall become a chancellor who on such date shall possess the same jurisdiction, powers and duties and shall receive the same compensation, benefits, emoluments and dignity of office as is required or provided by law for chancellors.

It is further recommended that the bill be amended by inserting the following at the end of Section 6(28)(a):

Effective September 1, 1984, the law and equity court currently located in Gibson County shall become a chancery court for the Twenty-Eighth Judicial District and the current law and equity judge shall become a chancellor who on such date shall possess the same jurisdiction, powers and duties and shall receive the same compensation benefits emoluments and dignity of office as is required or provided by law for chancellors.

It is further recommended that the bill be amended by adding the following to the end of Section 6(19)(a):

Effective September 1, 1984, the law and equity court currently located in Montgomery County shall become Part II of the circuit court of the Nineteenth Judicial District and the

current law and equity judge shall become judge of Part II of such circuit court. On such date, such law and equity judge shall possess the same jurisdiction, powers and duties and shall receive the same compensation, benefits emoluments and dignity of office as is required or provided by law for circuit court judges.

It is further recommended that the bill be amended by adding the following to the end of Section 6(29)(a):

Effective September 1, 1984, the law and equity court currently located in Dyer County shall become Part II of the circuit court of the Twenty-Ninth Judicial District and the current law and equity judge shall become judge of Part II of such circuit court. On such date, such law and equity judge shall possess the same jurisdiction, powers and duties and shall receive the same compensation, benefits, emoluments and dignity of office as is required or provided by law for circuit court judges.

It is further recommended that the bill be amended by deleting from Section 6(10)(a) as amended by House amendment 10 the language:

In 1988, the qualified voters of the Tenth Judicial District shall elect an additional judge or chancellor in accordance with the provisions of Section 5 of this act to serve the court and part of court designated pursuant to Section 12 of this act.

and substituting instead the language:

In 1986, the qualified voters of the Tenth Judicial District shall elect an additional judge or chancellor in accordance with the provisions of Section 5 of this act to serve the court and part of court designated pursuant to Section 12 of this act.

It is further recommended that the bill be amended by adding the following new paragraph to the end of Section 6(12)(a):

Notwithstanding any other provision of this act to the contrary, from September 1, 1984 until September 1, 1990, the chancellor currently residing in the Twelfth Judicial District shall also serve as chancellor for Coffee and Warren Counties in the Fourteenth and Thirty-First Judicial Districts, respectively.

It is further recommended that the bill be amended by deleting from Section 6(29)(b) the words "law and equity judge currently residing in Dyer County" and substituting instead the words "judge of Part II of the circuit court of the Twenty-Ninth Judicial District".

Respectfully submitted this the 24th day of May, 1984.

**FOR THE SENATE**

- Sen. John R. Rucker
- Sen. Milton H. Hamilton
- Sen. William H. Ortwein
- Sen. Curtis Person Jr.
- Sen. Carl Koella Jr.
- Sen. Steve Cohen

**FOR THE HOUSE**

- Rep. Mike Murphy
- Rep. James R. McKinney
- Rep. Jimmy Naifeh
- Rep. Bob King
- Rep. John Bragg
- Rep. Mike Robertson

Mr. Murphy moved that the Report of the Conference Committee on House Bill No. 1977 be adopted and made the action of the House, which motion prevailed by the following vote:

|                                  |    |
|----------------------------------|----|
| Ayes . . . . .                   | 84 |
| Noes . . . . .                   | 8  |
| Present and not voting . . . . . | 1  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--84.

Representatives voting no were: Crain, Davis (Gibson), Johnson, Murray, Pickering, Shirley, Stallings and Webb--8.

Representative present and not voting was: McAfee--1.

A motion to reconsider was tabled.

**RECESS**

On motion of Mr. McKinney, the House recessed until 2:30 p.m.

The recess having expired, the House was called to order by Mr. Speaker mcWherter.

On motion, the roll call was dispensed with.

**FURTHER CONSIDERATION OF AMENDED BILL**

Senate Bill No. 2030--To create Tennessee Claims Commission.

Mr. Murphy moved that the House refuse to recede from its action in adopting Amendment No. 1 to Senate Bill No. 2030, which motion prevailed.

**FURTHER CONSIDERATION OF SENATE BILL NO. 2158**

Senate Bill No. 2158--To clarify eligibility, release classification status.

Mr. Murphy moved that the motion to reconsider Senate Bill No. 2158 be lifted from the table, which motion prevailed.

Mr. Murphy moved that the House reconsider its action in passing Senate Bill No. 2158 on third and final consideration, as amended, which motion prevailed.

Mr. Murphy moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Murphy moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 2158, as amended, passed its third and final consideration by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 89 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--89.

A motion to reconsider was tabled.

Mr. Ford moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 597 out of order, which motion prevailed.

House Joint Resolution No. 597--Relative to honoring Representative Mike Robertson--By Ford.

Mr. Ford moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 597, which motion prevailed.

Mr. Ford moved that House Joint Resolution No. 597 be adopted, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 95 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

# **HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 2181--To amend Title 9, Chapter 13, Code.

## **SENATE AMENDMENT NO. 2**

Amend House Bill No. 2181 by adding to the first sentence of Section 10 the following language:

; provided, however, that such costs shall not exceed five percent (5%) of the amount of the loan guarantee.

Mr. Robertson moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 93 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew,

Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, Senate Bill No.:

1465--To provide compensation for out-of-state travel, general assembly.

The Senate concurred in House Amendments Nos. 1 and 3 and non-concurred in House Amendment No. 4.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**FURTHER CONSIDERATION OF SENATE BILL NO. 1465**

Senate Bill No. 1465--To provide compensation for out-of-state travel, General Assembly.

Mr. Owen moved that the motion to reconsider Senate Bill No. 1465 be lifted from the table, which motion prevailed by the following vote:

|                                  |    |
|----------------------------------|----|
| Ayes . . . . .                   | 68 |
| Noes . . . . .                   | 16 |
| Present and not voting . . . . . | 2  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bragg, Brewer, Buck, Byrd, Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Naifeh, Owen, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Sir, Stallings, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Williams, Withers, Wolfe, Wood, Work and Yelton--68.



Representatives voting no were: Bivens, Chiles, Clark (Davidson), Drew, Hudson, Hurley, King (Washington), Moody, Murray, Nance, Napier, Robertson, Robinson (Hamilton), Smith, Whitson, Wix--16.

Representatives present and not voting were: DePriest and Shirley--2.

Mr. Owen moved that the House reconsider its action in passing Senate Bill No. 1465 on third and final consideration, as amended, which motion prevailed by the following vote:

|                                  |    |
|----------------------------------|----|
| Ayes . . . . .                   | 70 |
| Noes . . . . .                   | 17 |
| Present and not voting . . . . . | 1  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bragg, Brewer, Buck, Byrd, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Montgomery, Moore (Shelby), Murphy, Naifeh, Nance, Percy, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Sir, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Williams, Withers, Wolfe, Wood, Work and Yelton--70.

Representatives voting no were: Bivens, Chiles, Clark (Davidson), Disspayne, Drew, Hillis, Hudson, Hurley, Miller, Moody, Murray, Napier, Robertson, Robinson (Hamilton), Smith, Whitson and Wix--17.

Representative present and not voting was: Shirley--1.

Mr. Owen moved that the House reconsider its action in adopting Amendment No. 4, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 74 |
| Noes . . . . . | 13 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Jared, Johnson, Jones, Kelley, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Sir, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Withers, Wix, Wood, Work and Yelton--74.

Representatives voting no were: Chiles, Drew, Hillis, Hudson, Hurley, Moody, Nance, Robertson, Robinson (Hamilton), Shirley, Smith, Whitson and Wolfe--13.

Mr. McKinney moved that the Amendment No. 4 be tabled, which motion prevailed by the following vote:

|                                  |    |
|----------------------------------|----|
| Ayes . . . . .                   | 56 |
| Noes . . . . .                   | 29 |
| Present and not voting . . . . . | 2  |

Representatives voting aye were: Anderson, Atchley, Bell, Bragg, Clark (Sumner), Copeland, Covington, Davidson, Davis (Pickett), DeBerry, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Huskey, Jared, Johnson, Jones, Kent, Kernell, King (Washington), Love, McAfee, McKinney, McNally, Moore (Shelby), Murphy, Murray, Naifeh, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Washington), Severance, Sir, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Webb, Wheeler, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--56.

Representatives voting no were: Bewley, Bivens, Byrd, Chiles, Clark (Davidson), Davis (Gibson), DePriest, Disspayne, Drew, Harrill, Hillis, Hurley, Kelley, King (Shelby), Kisber, Miller, Montgomery, Moody, Nance, Percy, Robertson, Robinson (Hamilton), Scruggs, Shirley, Smith, Turner (Shelby), Wallace, Whitson and Wolfe--29.

Representatives present and not voting were: Brewer and Owen--2.

Mr. Clark (Sumner) moved the previous question, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 68 |
| Noes . . . . . | 18 |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Byrd, Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Percy, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Sir, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work and Yelton --68.

Representatives voting no were: Chiles, Clark (Davidson), Cobb, Disspayne, Drew, Hillis, Hudson, Hurley, King (Shelby), Moody, Nance, Robertson, Robinson (Hamilton), Shirley, Smith, Turner (Shelby), Wallace and Wolfe--18.

Thereupon, Senate Bill No. 1465, as amended, passed its third and final consideration by the following vote:

|                                  |    |
|----------------------------------|----|
| Ayes . . . . .                   | 64 |
| Noes . . . . .                   | 22 |
| Present and not voting . . . . . | 1  |

Representatives voting aye were: Anderson, Atchley, Bell, Bivens, Bragg, Byrd, Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, Dixon, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Love, McAfee, McKinney, McNally, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Owen, Percy, Phillips, Rhinehart, Robinson (Davidson), Robinson (Washington), Scruggs, Sir, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Webb, Wheeler, Williams, Withers, Wix, Wood, Work and Yelton--64.

Representatives voting no were: Chiles, Clark (Davidson), DePriest, Disspayne, Drew, Ford, Hillis, Hudson, Hurley, King (Shelby), Kisber, Miller, Moody, Nance, Robertson, Robinson (Hamilton), Severance, Shirley, Smith, Wallace, Whitson and Wolfe --22.

Representative present and not voting was: Bewley--1.

A motion to reconsider was tabled.

**RECESS**

On motion of Mr. Bewley, the House recessed for a presentation to Mr. Speaker McWherter.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

Mr. Crain requested that Senate Bill No. 1462 be returned to the Senate with no further action.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1677--To amend Retailers' Sales Tax Act; substituted for Senate Bill on same subject, amended, and passed by the Senate.

Clyde W. McCullough, Jr.,  
Chief Clerk.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 1677--To amend Retailers' Sales Tax Act.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 1677 by deleting from Section 2 the words "upon becoming a law" and by substituting instead the words and figures "on January 1, 1985".

Mr. Rhinehart moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 86 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frenslley, Gafford, Gaia, Gill, Hassell, Henry, Hillis, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--86.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

1298--To regulate Licensing Board of Healing Arts.

The Senate Adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL NO. 1298**

The House and Senate Conference Committee appointed pursuant to motions to resolve differences between the two houses on Senate Bill No. 1298 (House Bill No. 177) has met and recommends that House Amendments 1 and 2 be adopted.

The Committee further recommends that the following amendment be adopted:

AMEND by adding the following language to the end of the amendatory language of Section 3 (as added by House Amendment 2):

Provided, however, that any disciplinary proceeding pending before the Board shall be transferred to the appropriate licensing Board for disposition.

Respectfully submitted this the 23rd day of May, 1984.

**FOR THE SENATE**

Sen. John T. Hicks

Sen. Bill Richardson

Sen. Ben Atchley

**FOR THE HOUSE**

Rep. U.A. Moore

Rep. Nathan Ford

Rep. Bill Covington

Mr. King (Shelby) moved that the Report of the Conference Committee on Senate Bill No. 1298 be adopted and made the action of the House, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 90 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--90.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill No.:

1977--To redistrict state trial court system.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**ENGROSSED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 2306 and 2307; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**ENGROSSED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 777, 1384, 1542, 2311 and 2313; and House Joint Resolutions Nos. 559, 565, 570 and 596; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolutions Nos.:

497--Relative to Tennessee drivers' licenses;

547--Relative to congratulating Oakland High School boys' basketball team;

549--Relative to commending Dillard Sholes;

551--Relative to honoring Joe Worden;

552--Relative to honoring Helen Fulks;

553--Relative to commending William C. Koch, Jr.;

554--Relative to honoring Representative Jimmy Wallace;

556--Relative to congratulating M.T.S.U. Track Team;

557--Relative to congratulating Oakland High School Track Team;

558--Relative to expressing appreciation, Harry Bradley;

563--Relative to expressing appreciation, Don Daugherty;

566--Relative to honoring Alex A. Shafer;

568--Relative to honoring Tau Kappa Epsilon;

569--Relative to commending Dave Mangum;

571--Relative to memory, Andrew Lamar Alexander;

574--Relative to honoring Representative W. Townsend Anderson;

575--Relative to honoring Toy F. Reid;

576--Relative to honoring Carl A. Jones;

577--Relative to commending Crime Stoppers of Memphis, Inc.;

578--Relative to commending Councilman Bob James;

579--Relative to commending Walter H. Kallaher, II;

581--Relative to commending Sandra Lloyd and Chief Joe Knowles;

589--Relative to reviewing rules and regulations, Fire Marshal's Office; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bills Nos:

1213--To amend Section 56-4-207, Code;

1503--To make certain provisions, autistic persons;

1900--To regulate qualifications for unemployment benefits;

2078--To tax gross receipts derived from charter of aircraft; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1369--To regulate Business Tax Act;

2260--To provide taxes, certain products severed from ground;

2261--To regulate tax on litigation, Anderson County; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1795--To provide bond issue, certain state departments.

The Senate lifted the tabling motion; reconsidered passage of the bill; reconsidered adoption of Amendment No. 5, withdrew Amendment No. 5, adopted Amendment No. 6, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to request the return of House Bill No. 1795, for further consideration.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

On motion of Mr. Henry, House Bill No. 1795 was returned to the Senate as requested.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1436--To clarify definition of subdivision.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendment No. 4, withdrew Amendment No. 4, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE GOVERNOR**

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No.



1785, with his approval.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**ENGROSSED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution No. 597; and find same correctly engrossed and ready for transmission to the Senate.

**MARILYN EVELYN HAND,**  
Chief Engrossing Clerk.

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution No. 166; and find same correctly enrolled and ready for the signatures of the Speakers.

**MARILYN EVELYN HAND,**  
Chief Engrossing Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Resolution No. 166.

The Honorable David H. Welles  
Acting Chief Clerk,  
House of Representatives  
State Capitol  
Nashville, Tennessee 37219

Dear Mr. Welles:

In accordance with House Resolution No. 166, Governor Lamar Alexander has directed me to return to the House of Representatives House Bill No. 1548 / Senate Bill No. 1756 for further action.

Very truly yours,

**WILLIAM C. KOCH, JR.**  
Counsel to the Governor

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to request the return of House Bill

No. 1548, for further consideration.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

On motion of Mr. Hillis, House Bill No. 1548 was returned to the Senate as requested.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1603--To provide for family violence shelters; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 1603--To provide for family violence shelter.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 1603 by deleting the first, second, and third sentences of Section 3 (i) and by substituting instead the following:

(i) Shall establish an advisory committee, consisting of nine (9) persons appointed by the Governor, which shall review all program criteria adopted by the department and shall advise the commissioner relative to the allocation of funds under the act.

AND FURTHER AMEND by deleting from the final sentence of Section 3 (i) the words "the original appointing authority" and by substituting instead the following:

"the governor".

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 1603 by deleting everything following the enacting clause and substituting instead the following:

SECTION 1. There is hereby established in the department of human services a program for the establishment and funding of family violence shelters and shelter services and child abuse prevention services. Funding for such program shall be limited to the amounts provided in the annual appropriations act.

SECTION 2. As used in this act, unless the context requires otherwise:

(a) "Family violence" means causing or attempting to cause bodily injury to a family or household member or placing a family or household member in fear of imminent physical harm by threat of force, regardless of age or mental functioning.

(b) "Family or household member" means those persons related by blood, marriage or adoption or in the custody of such a person under a valid court order.

(c) "Shelter" means a place where family violence victims and their children can seek temporary refuge twenty-four (24) hours a day and seven (7) days a week, including a program which develops and manages a system under which private homes or commercial lodgings are used as refuge for family violence victims and their children.

(d) "Shelter services" means counseling for family violence victims, counseling for perpetrators, advocacy for family violence victims, referral of family violence victims to other community resources, community education regarding prevention of family violence and rehabilitation of perpetrators.

(e) "Child abuse prevention services" means those services designed to prevent the occurrence of child abuse and neglect. They may include, but are not limited to:

(1) Services relating to prevention of child abuse, such as counseling, self-help groups, hot lines and other related services; and,

(2) Community and direct education services on child abuse awareness and prevention and related topics, such as parenting, coping with family stress, child development and prenatal care.

**SECTION 3.** In administering this program, the department of human services:

(a) Shall divide all funds received under this act equally, with fifty percent (50%) of the funds to be allocated to family violence shelters and shelter services and fifty percent (50%) to be allocated to child abuse prevention services;

(b) Shall, in disbursing funds received under this act to child abuse prevention services, give priority, where possible, to services for those children at risk because they reside in households where family violence occurs;

(c) In order to assure that funds are distributed statewide, shall not disburse more than fifty thousand dollars (\$50,000) from state funds provided under this act to any one (1) shelter or shelter service in one (1) fiscal year, and shall not disburse more than fifty thousand dollars (\$50,000) from state funds provided under this act to any one (1) child abuse prevention service in one (1) fiscal year;

(d) Shall accept federal funds that may be available for use in carrying out the provisions of this act and may use state funds, in addition to funds generated under this act, as matching funds for federal funds if matching funds are required.

(e) Shall assure, to the extent feasible, that any funds allocated under this act shall be used to provide services in addition to those already provided by the department of human services;

(f) May expend only those actual amounts reasonably necessary for administration of the funds provided under this act;

(g) Shall promulgate rules and regulations in accordance with Tennessee Code Annotated, Title 4, Chapter 5, necessary to carry out the purposes of the act and shall, upon recommendation of the advisory committee, establish standards for operation of the services, including establishment of a timetable for application and disbursement of funds;

(h) Shall require an annual report from each service funded which shall include, in addition to all information required by the department of human services, statistics on the number of persons requesting service, the number of persons served the type of service rendered and a description of the social and economic characteristics of the person served and the number and type of referrals, including medical, legal and education services, made to other community resources. No information contained in the report shall identify any person served or enable any person to determine the identity of such a person;

(i) Shall in accordance with Tennessee Code Annotated, Section 14-1-110 establish an eight (8) person advisory committee, which shall review all program criteria adopted by the department and advise the commissioner relative to the allocation of funds under the act. The committee shall consist of at least two (2) persons knowledgeable and experienced in child abuse prevention and one (1) former client of the child abuse prevention service, two (2) persons knowledgeable and experienced in family violence and

one (1) former client of the family violence shelter. The committee members shall be selected for staggered four (4) year terms and may succeed themselves. Such advisory committee may be made a subcommittee of the Social Services Advisory Committee. Such committee shall be subject to review under the governmental entity review law.

SECTION 4. To receive funds under this act, organizations shall:

(a) Be incorporated as a not-for-profit corporation, and be tax-exempt under Section 501 of the Internal Revenue Code;

(b) Comply with Tennessee Code Annotated, Sections 37-1203 and 14-25-103 by reporting cases of suspected abuse to the department of human services.

SECTION 5. To receive funds under this act for family violence shelter services and/or shelters, all applicants shall show that they have provided shelter services for at least six (6) months prior to the application for funds under this act, and that the funds provided under this act will enable them to establish or maintain a shelter for victims of family violence within a defined timetable, in addition to any other services provided as described in the standards promulgated under Section 3(g) of this act.

SECTION 6. To receive funds under this act for child abuse prevention services, all applicants shall show that the funds provided under this act will enable them to provide some of the following services:

- (1) counseling for the prevention of child abuse;
- (2) child abuse prevention self-help groups;
- (3) child abuse prevention hot lines;
- (4) community and direct education services on child abuse awareness; and
- (5) prevention and related topics, such as parenting, coping with family stress, child development and parental care.

SECTION 7. Tennessee Code Annotated, Title 67, Chapter 4, Part 4, is amended by adding the following new section:

( ) In addition to the privilege tax on marriage licenses under Tennessee Code Annotated, Section 67-4-502, the county clerk shall collect and forward to the commissioner of revenue a tax of ten dollars (\$10.00) for each marriage license issued.

**SECTION 8.** It is the legislative intent that in providing services to family violence victims that shelter services be provided to male children twelve (12) to eighteen (18) years of age to the maximum extent feasible.

**SECTION 9.** This act shall take effect July 1, 1984, the public welfare requiring it.

**SENATE AMENDMENT NO. 3**

Amend House Bill No. 1603 by deleting from Section 3(i) the sentence which reads:

"The committee shall consist of at least three persons knowledgeable and experienced in child abuse prevention and one former client of the child abuse prevention service, three persons knowledgeable and experienced in family violence and one former client of the family violence shelter."

and by substituting instead the following:

"The committee shall consist of knowledgeable persons who are interested in the prevention of child abuse and family violence."

**SENATE AMENDMENT NO. 4**

Amend House Bill No. 1603 amend by deleting Section 3(i) in its entirety and substituting instead the following:

(i) Shall in accordance with T.C.A. Section 14-1-110 establish an eight person advisory committee, which shall review all program criteria adopted by the department and advise the commissioner relative to the allocation of funds under the act. The committee shall consist of at least three persons knowledgeable and experienced in child abuse prevention and one former client of the child abuse prevention service, three persons knowledgeable and experienced in family violence and one former client of the family violence shelter. Each committee member shall be selected for a four year term and may succeed themselves. Such advisory committee may be made a subcommittee of the Social Services Advisory Committee.

Ms. Williams moved that the House concur in Senate Amendments Nos. 1, 2, 3 and 4, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 88 |
| Noes . . . . . | 1  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis,

Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--88.

Representative voting no was: Shirley--1.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1605--To make provisions, Aid to Dependent Children; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 1605--To make provisions, Aid to Dependent Children.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 1605 by deleting the words "where available" from the third line of subsection (2) of Section 1.

**AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 1**

Amend Amendment No. 1 by deleting the second sentence of the amendatory language of Subsection 4 in its entirety and substituting instead the following:

"In addition, effective July 1, 1984, there shall be an increase of seven percent (7%) in the AFDC payment level taking into account rounding, and there shall be no maximum limit based on family size."

Mr. Cobb moved that the House concur in Senate Amendment No. 1, as amended, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 90 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark

(Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

2063--To provide for necessary services, certain capital cases; substituted for Senate Bill on same subject, amended, and passed by the Senate.

Clyde W. McCullough, Jr.,  
Chief Clerk.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 2063--To provide for necessary services, certain capitol cases.

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 2063 by inserting in the first sentence of the amendatory language of Section 1, as amended, between the words "such court" and "may in its discretion" the words "in an ex parte hearing".

Mr. Murphy moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 87 |
| Noes . . . . . | 2  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen,



Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--87.

Representatives voting no were: Hurley and McAfee--2.

A motion to reconsider was tabled.

### **MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1654--To create community work projects for certain probationers; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

### **HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 1654--To create community work projects for certain probationers.

### **SENATE AMENDMENT NO. 2**

Amend House Bill No. 1654 by adding the words "or assign" in the amendatory language of Section 1, Section 41-10-101 (a) between the words "to employ" and "in each judicial".

AND FURTHER AMEND by adding as a new item in the amendatory language of Section 1, Section 41-01-101 (c) the following:

(5) to perform such other duties as may be assigned to him by the commissioner.

AND FURTHER AMEND by adding as a new section, immediately before the effective date section and by numbering such sections accordingly, the following:

Section \_\_\_\_\_. From the funds appropriated to the department of correction by the provisions of Chapter \_\_\_\_ of the Public Acts of 1984 (Senate Bill 1911 / HB 1794) for adult probation, the commissioner of correction shall allocate a sum equivalent to fifteen (15) positions to provide personnel on a full-time or part-time basis to fulfil the duties imposed by this act.

### **SENATE AMENDMENT NO. 4**

Amend House Bill No. 1654 by deleting sections 2 and 3 in their entirety and by renumbering the remaining section (s) accordingly.

Mr. Murphy moved that the House concur in Senate Amendments Nos. 2 and 4, following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 89 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton --89.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1965--To make certain provisions, guidance counselors; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 1965--To make certain provisions, guidance counselors.

**SENATE AMENDMENT NO. 4**

Amend House Bill No. 1965 by deleting subsection (a) of the amendatory section in Section 1 in its entirety and by substituting instead the following:

(a) For the school year 1984-1985, a pilot program to provide elementary guidance counselors shall be implemented by and/or under the State Board of Education within the funds appropriated for such purpose in the General Appropriation Act for fiscal year 1984-1985.

The state board of education shall submit a preliminary report to the General Assembly in 1984 on such pilot program and the Education Committee of the Senate and House of Representatives shall submit their recommendations on elementary guidance programs to the General Assembly prior to the conclusion of the 1985 legislative session.

**AND FURTHER AMEND** by deleting subsection (f) of the amendatory section in Section 1 in its entirety.

Mr. Love moved that the House concur in Senate Amendment No. 4, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 86 |
| Noes . . . . . | 5  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --86.

Representatives voting no were: Bragg, Chiles, McAfee, Nance and Shirley--5.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill No.:

2147--To provide for detention of juveniles, certain circumstances; substituted for Senate Bill on same subject, amended, and passed by the Senate.

Clyde W. McCullough, Jr.,  
Chief Clerk.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 2147--To provide for detention of juveniles certain circumstances.

**SENATE AMENDMENT NO. 6**

Amend House Bill No. 2147 by deleting the amendatory language in Section 1 in its entirety and substituting instead the following:

Tennessee Code Annotated, Section 37-216, is amended by deleting the existing subsection (1) and replacing it with the following:

(1) Notwithstanding the provisions of this section to the contrary, in any facility which meets the following requisites of separateness, juveniles who meet the detention criteria of TCA Section 37-214 (c) may be held in a juvenile detention facility which is in the same building or on the same grounds as an adult jail or lockup:

A. Total separation between juvenile and adult facility spatial areas such that there could be no haphazard or accidental contact between juvenile and adult residents in the respective facilities.

B. Total separation in all juvenile and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping, and general living activities.

C. Separate juvenile and adult staff, including management, security staff, and direct care staff such as recreational, educational, and counseling. Specialized services staff, such as cooks, bookkeepers, and medical professionals who are not normally in contact with detainees or whose infrequent contacts occur under conditions of separation of juveniles and adults, can serve both.

D. In the event that state standards or licensing requirements for secure juvenile detention facilities are established, the juvenile facility must meet the standards and be licensed or approved as appropriate.

In determining whether the criteria set out in subsection (i) are met, the following factors will serve to enhance the separateness of juvenile and adult facilities:

A. Juvenile staff are employees of or volunteers for a juvenile service agency or the juvenile court with responsibility only for the conduct of the youth-serving operations. Juvenile staff are specially trained in the handling of juveniles and the special problems associated with this group.

B. A separate juvenile operations manual, with written procedures for staff and agency reference, specifies the function and operation of the juvenile program.

C. There is minimal sharing between the facilities of public lobbies or office/support space for staff.

D. Juveniles do not share direct service or access space with adult offenders within the facilities including entrance to and exits from the facilities. All juvenile facility intake, booking and admission processes take place in a separate area and are under the direction of juvenile facility staff. Secure juvenile entrances (sally ports, waiting areas) are independently controlled by juvenile staff and separated from adult entrances. Public entrances, lobbies and waiting areas for the juvenile detention program are also controlled by juvenile staff and separated from similar adult areas. Adult and juvenile residents do not make use of common passageways between intake areas, residential spaces, and program/service spaces.

E. The space available for juvenile living, sleeping, and the conduct of juvenile programs conforms to the requirements for secure juvenile detention specified by prevailing case law, prevailing professional standards of care, and by state code.

F. The facility is formally recognized as a juvenile detention center by the state agency responsible for monitoring, review, and/or certification of juvenile detention facilities.

Mr. Johnson moved that the House concur in Senate Amendment No. 6, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 87 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--87.

A motion to reconsider was tabled.

Mr. Davis (Pickett) moved that the rules be suspended for the purpose of introducing House Resolution No. 173 out of order, which motion prevailed.

House Resolution No. 173--Relative to commending Steven Layne Russell--By Murphy, Davis (Pickett) and Turner (Shelby).

Mr. Davis (Pickett) moved that the rules be suspended for the immediate consideration of House Resolution No. 173, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Stallings moved that the rules be suspended for the purpose of considering House Resolution No. 148 out of order, which motion prevailed.

House Resolution No. 148--Relative to study, long term funding, Wildlife Resources Agency.

Mr. Stallings moved that the rules be suspended for the immediate consideration of House Resolution No. 148, which motion prevailed.

Mr. Stallings moved that House Resolution No. 148 be adopted, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 90 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--90.

A motion to reconsider was tabled.

On motion of Mr. Starnes, Senate Joint Resolution No. 196 was recalled from the Committee on Calendar and Rules.

Mr. Starnes moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 196 out of order, which motion prevailed.

Senate Joint Resolution No. 196--Relative to study, adoption laws.

Mr. Starnes moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 196, which motion prevailed.

Mr. Starnes moved that Senate Joint Resolution No. 196 be concurred in which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 89 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--89.

A motion to reconsider was tabled.

**SECOND ROLL CALL**

A roll call was taken with the following results:

|                   |    |
|-------------------|----|
| Present . . . . . | 91 |
|-------------------|----|

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --91.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

2030--To create Tennessee Claims Commission.

The Senate refused to recede from its action in nonconcurring in House Amendment No. 1.

The Speaker appointed a Conference Committee composed of Senators Ortwein, Rucker and Person to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill 2030.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Mr. Murphy moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the differences between the two bodies on Senate Bill No. 2030, which motion prevailed.

### **APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed Representatives Murphy, McKinney and Robertson as the Conference Committee on Senate Bill No. 2030.

### **RECESS**

On motion of Mr. McKinney, the House recessed for one hour.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

### **HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 1548--To make certain provisions, state forestry programs.

### **SENATE AMENDMENT NO. 2**

Amend House Bill No. 1548 by deleting the last paragraph of subsection (g) of the amendatory Section 11-4-102 in Section 1 and by substituting instead the following:

It is further declared that the commission be given authority by and through this act to formulate and recommend state forestry policies to the Governor and that the commissioner shall be responsible for administering the state's forestry policies and programs through the division.

AND FURTHER AMEND by deleting the words "formulate and adopt" in subsection (h) of the amendatory Section 11-4-102 in Section 1 and by substituting instead the words "formulate and recommend to the Governor".

AND FURTHER AMEND by inserting the words "which recommendations shall also be furnished to the Board of Standards" immediately



following the word "forestlands" in item (6) of subsection (h) of the amendatory Section 11-4-102 in Section 1.

**AND FURTHER AMEND** by deleting item (1) of subsection (i) of the amendatory Section 11-4-102 in Section 1 and by substituting instead the following:

(1) to submit to the Governor the names of three (3) qualified individuals for the position of state forester. The Governor may appoint from the three (3) nominees one (1) individual to serve as state forester. The person so appointed shall serve at the pleasure of the commissioner;

**AND FURTHER AMEND** by deleting the word "commissioner" in the first sentence of subsection (a) of the amendatory Section 11-4-103 in Section 1 and by substituting instead the word "Governor".

**AND FURTHER AMEND** by deleting the word "shall" in the second sentence of subsection (a) of the amendatory Section 11-4-103 in Section 1 and by substituting instead the word "may".

Mr. Hillis moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 78 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), Disspayne, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--78.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolution No.:

355--Relative to study, certain health occupations; amended, and concurred in by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

HOUSE JOINT RESOLUTION ON SENATE AMENDMENT

House Joint Resolution No. 355--Relative to study, certain health occupations.

SENATE AMENDMENT NO. 1

Amend House Joint Resolution No. 355 by deleting the first sentence and amend to read:

That a joint subcommittee to consist of three (3) members of the House General Welfare Committee and three (3) members of the Senate Government Operations Committee be appointed by the respective standing committee chairmen to study the recognition and regulation of certain health occupations.

Mr. Starnes moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 70 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Byrd, Chiles, Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), Disspayne, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Jared, Johnson, Kent, Kernell, Kisber, Love, McAfee, McKinney, McNally, Miller, Moody, Moore (Shelby), Murphy, Murray, Nance, Napier, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Turner (Hamilton), Turner (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--70.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

2032--To enact Enterprise Zone Act; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2032--To enact Enterprise Zone Act.

SENATE AMENDMENT NO. 1

Amend House Bill No. 2032 by deleting the words and figure "one (1) citizen member" wherever they may appear in Section 4 and substituting instead the words and figure "three (3) citizen members".

AND FURTHER AMEND Section 4 by adding the following new sentence immediately preceding the last sentence in the section:

Citizen members appointed by a commissioner shall be from each grand division of the state.

Mr. Copeland moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 84 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frenslay, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nane, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--84.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

688--To amend Title 55, Chapter 8, Code.

The Senate refused to recede from its action in nonconcurring in House Amendments Nos. 1 and 2. The Speaker appointed a Conference Committee composed of Senators Ford, Cohen and Elkins to confer with a like committee from the House to resolve the differences of the two bodies on S.B. No. 688.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Ms. DeBerry moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the differences between the two bodies on Senate Bill No. 688, which motion prevailed.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed Representatives DeBerry, Gafford and Wix as the Conference Committee on Senate Bill No. 688.

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 122, 137, 145, 178, 284, 497, 846, 1696, 2299, 2300, 2303, 2305 and 2308; House Resolutions Nos. 152, 153, 154, 156, 160, 163, 164, 165, 167, 168, 170, 171 and 172; and House Joint Resolutions Nos. 562, 564, 567 and 580; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 122, 137, 145, 178, 284, 497, 846, 1696, 2299, 2300, 2303, 2305 and 2308; House Resolutions Nos. 152, 153, 154, 156, 159, 160, 163, 164, 165, 167, 168, 170, 171 and 172; and House Joint Resolutions Nos. 562, 564, 567 and 580.

Mr. Davis (Pickett) moved that the rules be suspended for the purpose of introducing House Resolution No. 174 out of order, which motion prevailed.

House Resolution No. 174--Relative to commending Sheila C. Turk --By Murphy, Davis (Pickett) and Turner (Shelby).

Mr. Davis (Pickett) moved that the rules be suspended for the immediate consideration of House Resolution No. 174, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

**RECESS**

On motion of Mr. Naifeh, the House recessed until 7:30 p.m.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill No.:

2141--To authorize bond issue, construction of certain highway; substituted for Senate Bill on same subject, amended, and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 2141--To authorize bond issue construction of certain highway.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 2141 by adding a new sentence in Section 8 as follows:

The appropriation in this act is subject to the prior approval of the Commissioner of the Department of Transportation and the Commissioner of the Department of Finance and Administration.

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 2141 by deleting Section 9 and renumbering subsequent sections accordingly.

**SENATE AMENDMENT NO. 3**

Amend House Bill No. 2141 by deleting from the first sentence of Sections 1 and 4 the words "for the completion of Corridor J from Dunlap to Soddy-Daisy" and by substituting instead the following:

"for Corridor J highway construction projects".

**AND FURTHER AMEND** by adding the following language to the end of Section 4:

It is the legislative intent that the priority for projects to be funded from the proceeds of the bonds or anticipation notes authorized by the provisions of this act to be established by the Commissioner of Transportation.

Mr. Rhinehart moved that the House concur in Senate Amendments Nos. 1, 2 and 3, which motion prevailed by the following vote:

Ayes . . . . . 76  
Noes . . . . . 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Disspayne, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Kent, King (Shelby), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Shelby), Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--76.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

688--To amend Title 55, Chapter 8, Code.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL 688**

The House and Senate Conference Committee appointed pursuant to motions to resolve differences between the two houses on Senate Bill 688/House Bill 570 have met and recommend that Senate amendment 1 be adopted and that House amendments 1 and 2 be deleted.

Respectfully submitted this the 24th day of May, 1984.

|                  |                   |
|------------------|-------------------|
| Sen. John Ford   | Rep. Lois DeBerry |
| Sen. Steve Cohen | Rep. Mayo Wix     |
| Sen. Buzz Elkins | Rep. Bob Gafford  |

Ms. DeBerry moved that the House refuse the Conference Committee Report on Senate Bill No. 688, which motion prevailed.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1256--To make certain provisions, Tellico Reservoir Development Agency; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

## **HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 1256--To make certain provisions, Tellico Reservoir Development Agency.

### **SENATE AMENDMENT NO. 1**

Amend House Bill No. 1256 by deleting Sections 1 and 2 in their entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-205, is amended by inserting the following language as a new, appropriately designated item:

"( ) Tellico Reservoir Development Agency, created by Section 64-1-701;".

SECTION 2. Tennessee Code Annotated, Title 64, Chapter 1, Part 7, is amended by adding the following language as a new section:

Notwithstanding any provision of Tennessee Code Annotated, Title 64, Chapter 1, Part 7, to the contrary, between the effective date of this act and June 30, 1985, the Tellico Reservoir Development Agency shall enter into no contract or cooperative agreement without the prior written approval of the commissioner of the department of finance and administration. In reviewing any such contract or agreement, the commissioner shall remain cognizant of the language of Article 1, Section 20 and Article 11, Section 2 of the Constitution of Tennessee and shall approve no contract or agreement which possesses a potential for incurring liability upon the state of Tennessee should the General Assembly allow the agency to terminate under the provisions of the Tennessee Governmental Entity Review Law, Tennessee Code Annotated, Title 4, Chapter 29.

SECTION 3. Tennessee Code Annotated, Title 64, Chapter 1, Part 7, is amended by adding the following language as a new section:

Notwithstanding any provision of Tennessee Code Annotated, Title 64, Chapter 1, Part 7, to the contrary, between the effective date of this act and June 30, 1985, The Tellico Reservoir Development Agency shall issue no bonds without the prior written approval of the state

director of local finance. In reviewing any such proposed bond issue the state director shall remain cognizant of the language of Article 1, Section 20 and Article 11, Section 2 of the Constitution of Tennessee and shall approve no bond issue which possesses a potential for incurring liability upon the state of Tennessee should the General Assembly allow the agency to terminate under the provisions of the Tennessee Governmental Entity Review Law, Tennessee Code Annotated, Title 4, Chapter 29; nor shall the state director approve any bond issue which does not assure competitive bidding for bond rates and construction costs.

**SECTION 4.** Tennessee Code Annotated, Section 64-1-703(1)(N) is amended by deleting the words "under the power of eminent domain".

**SECTION 5.** Tennessee Code Annotated, Section 64-1-703(1)(N) is amended by deleting the second sentence and by substituting instead the following:

The amount and character of lands or interests therein to be acquired by the agency shall be determined by the board.

**SECTION 6.** Tennessee Code Annotated, Section 64-1-703 is amended by adding the following language as a new, appropriately numbered subsection:

( ) Nothing contained within the provisions of Tennessee Code Annotated, Title 64, Chapter 1, Part 7, shall be construed to grant the power of eminent domain to the agency.

**SECTION 7.** This act shall take effect on becoming a law, the public welfare requiring it.

## **SENATE AMENDMENT NO. 2**

Amend House Bill No. 1256 by deleting Sections 2 and 3 by substituting instead the following:

**SECTION 2.** Tennessee Code Annotated, Title 64, Chapter 1, Part 7, is amended by adding the following language as a new section:

Notwithstanding any provision of Tennessee Code Annotated, Title 64, Chapter 1, Part 7, to the contrary between the effective date of this act and June 30, 1985 all purchases of and contracts for purchases of goods and/or services or contracts for the conveyance of agency land in excesss of two thousand dollars (\$2,000) entered into by the Tellico Reservoir Development Agency shall be based on



competitive bidding. The agency shall solicit sealed bids by public notice, setting out in detail the goods and /or services or agnecy land to be bid on, published at least twice in a newspaper or newspapers of general circulation in the counties served by the agnecy. All sealed bids shall be opened publicly at the time, and place fixed in the public notice; and, in cases involving goods and/or services, the bidder making the best and lowest bid who is qualified to perform the contract shall be awarded the contract, while in cases involving conveyance of agency land, the bidder making best bid who is qualiified to perform the contract shall be awarded the contract. Each bid with the name and address of the bidder shall be entered on a record and each record with the names of the bidders, the amount of their bids and the name of the successful bidder indicated thereon shall, after the award of the contract, be open for public inspection.

SECTION 3. Tennessee Code Annotated, Title 64, Chapter 1, Part 7, is amended by adding the following language as a new section:

Notwithstanding any provision of Tennessee Code Annotated, Title 64, Chapter 1, Part 7, to the contrary, between the effective date of this act and June 30, 1985 all notes and bonds of the Tellico Reservoir Development Agency shall be sold at public sale, at not less than ninety-eight percent (98%) of par value thereof and accrued interest, after not less than three (3) days' advertisement thereof in a newspaper or newspapers of general circulation in the counties served by the agency and in a financial newspaper published in the city of New York, New York or Chicago, Illinois with national circulation. Such notice shall be published at least ten (10) days prior to such sale. No bond or note of the agency shall be issued until a memorandum detailing the bonds or notes to be issued together with a statement as of the beginning of the then current fiscal year, which statement shall show in detail the total outstanding bonds, notes, warrants, refunding bonds, and other evidences of indebtedness of the agency, together with the maturity dates thereof, interest rates, special provisions for payment, the project to be funded by the bonds, the current operating financial statement of the agency and any other pertinent financial information, shall be submitted to the state director, of local finance for review and he may report thereon to the agency within fifteen (15) days from the date the plan is received by him and he shall immediately acknowledge receipt in writing of the proposed bond issue statement and information. The report thus received by the agency shall be published once in a newspaper of general circulation in the counties served by the agency during the week following its receipt. After receiving the report of the state director of local

finance, and after publication of such report, or after the expiration of fifteen (15) days from the date the statement and information is received by the state director of local finance whichever date is earlier the agency may take such action with reference to the proposed bond or note issue as it deems advisable. Such report of the state director shall also be made a part of the bond transcript.

SENATE AMENDMENT NO. 4

Amend House Bill No. 1256 by adding the following language to the end of Section 2:

The provisions of this section shall not apply to any contract for the conveyance of agency land for industrial development provided; however, the fair market value of such land, as of the time of the conveyance, shall be determined by at least two (2) independent, qualified appraisers, wholly disconnected from state government or any other legal governmental entity, and such property shall not be conveyed at a figure which is less than the average of the two (2) appraisals.

SENATE AMENDMENT NO. 5

Amend House Bill No. 1256 by adding the following language to the end of Section 2:

The provisions of this section shall not apply to any project submitted by the agency for TVA approval prior to the effective date of this act.

Mr. King (Shelby) moved that the House concur in Senate Amendment No. 1, 2, 4 and 5, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 82 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dispayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--82.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, Senate Bill No.:

1911--General Appropriations Bill.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 1911**

The Senate and House Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill 1911 (House Bill 1794) have met and recommend that the following House amendment be adopted: 1; and recommend that the following House amendments be deleted: 2 and 3.

The Committee further recommends the following amendments to Senate Bill 1911 (House Bill 1794) be adopted:

Amend by deleting from Section 1, Title III-16, the following items:

|                                  |               |
|----------------------------------|---------------|
| "3.7 Division of Surface Mining  | 1,503,300.00  |
| 3.8 State Abandoned Land Program | 1,021,000.00" |

and substitute instead the following items and change the totals accordingly:

|                                  |               |
|----------------------------------|---------------|
| "3.7 Division of Surface Mining  | 1,105,000.00" |
| 3.8 State Abandoned Land Program | 666,000.00    |

AND FURTHER AMEND by deleting from Section 4, Title III-17 the following item:

|                                 |               |
|---------------------------------|---------------|
| "3.7 Division of Surface Mining | 1,873,700.00" |
|---------------------------------|---------------|

and substitute instead the following item and change the totals accordingly:

|                                 |             |
|---------------------------------|-------------|
| "3.7 Division of Surface Mining | 303,800.00" |
|---------------------------------|-------------|

AND FURTHER AMEND by deleting from Item 10 of Section 11 the words and figures "one thousand one hundred forty-five dollars (\$1,145.00)" and substituting in lieu thereof the words and figures "one thousand two hundred sixty dollars (\$1,260.00)".

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item \_\_\_\_\_. The unexpended funds appropriated for legislative computer services by the provisions of items 16 and 17 of Section 12 of Chapter 503 of the Public Acts of 1981 shall not revert to the general fund on June 30, 1984 but shall remain available for the purposes appropriated for expenditure in accordance with such provisions of such act.

**AND FURTHER AMEND** by adding the following new item at the end of Section 11:

Item \_\_\_\_\_. To implement the program of child abuse prevention and family violence shelter funding under P.C. \_\_\_\_\_ (SB 1674/HB 1603), from the funds generated by such act, there is hereby appropriated to the department of human services the amount of six hundred thousand dollars (\$600,000).

**AND FURTHER AMEND** by adding the following new items at the end of Section 12:

Item \_\_\_\_\_. In addition to funds appropriated elsewhere in this act, there is hereby appropriated the sum of fifty thousand dollars (\$50,000) to the Obion-Forked Deer Basin Authority for the sole purpose of defraying expenses associated with the construction of a silt retention lake in the Kirby Pocket region adjacent to Reelfoot Lake. Expenditure of the funds appropriated herein shall be subject to approval by the State Building Commission.

Item \_\_\_\_\_. In addition to funds appropriated elsewhere in this act, there is hereby appropriated the sum of one hundred one thousand dollars (\$101,000) to the Department of Conservation to defray expenses associated with completion of the Samburg/Tiptonville Wastewater Treatment System. Expenditure of the funds appropriated herein shall be subject to approval by the State Building Commission.

Item \_\_\_\_\_. In addition to funds appropriated elsewhere in this act, there is hereby appropriated the sum of fifty-two thousand dollars (\$52,000) to the Division of Water Management, Department of Health and Environment to provide state matching funds for completion of the United States Geological Survey's water budget study project at Reelfoot Lake.

Item \_\_\_\_\_. In addition to funds appropriated elsewhere in this act, there is hereby appropriated one hundred thirty thousand dollars (\$130,000) from the general fund of the state to the Tennessee Wildlife Resources Agency for acquisition of a buffer zone along the shoreline of Reelfoot Lake from Keystone Park to Champey Pocket and for acquisition of another buffer zone along the shoreline of Reelfoot Lake from Keystone Park to Champey Pocket and for acquisition of another buffer zone along the Reelfoot Lake shoreline of eight (8) parcels of land located off South Shore Drive north of Boardman's Resort and owned

collectively by Mrs. LaVergne Victory, Mr. Johnny Ashelle, and Mr. Tommy Victory.

Item \_\_\_\_\_. In addition to funds appropriated elsewhere in this act, there is hereby appropriated twenty-five thousand dollars (\$25,000) to the Department of Conservation for acquisition of Indian burial mound archaeological sites located within the Reelfoot Lake Watershed.

Item \_\_\_\_\_. In addition to funds appropriated elsewhere in this act, there is hereby appropriated fifteen thousand dollars (\$15,000) from the general fund of the state to the Tennessee Wildlife Resources Agency for the purchase of three (3) water monitoring devices for use at Reelfoot Lake.

Item \_\_\_\_\_. In addition to funds appropriated elsewhere in this act, there is hereby appropriated the sum of two hundred thousand dollars (\$200,000) to the Department of Agriculture for development and implementation of a soil conservation program to promote cultivation of alfalfa hay within the soil conservation districts surrounding Reelfoot Lake.

Item \_\_\_\_\_. In addition to funds appropriated elsewhere in this act, there is hereby appropriated the sum of one hundred thousand dollars (\$100,000) to the Division of Water Management, Department of Health and Environment for continued water quality research at Reelfoot Lake including, but not necessarily limited to, sample collection, analysis and interpretation; fish tissue monitoring; hydrologic study; and cesium-137 sedimentation work.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. There is hereby appropriated the sum of one hundred fifty thousand dollars (\$150,000.00) to the division of county audit which shall be in addition to all other appropriations made to the division and which shall be used for the sole purpose of developing a computerized accounting and financial information system for county governments in Tennessee. This appropriation is made to accomplish the requirements of Tennessee Code Annotated, Section 5-8-501, which requires the comptroller of the treasury to devise an accounting system to be used by all county officials and agencies receiving state funds and to prescribe the minimum standards for such system.

A nine-member advisory committee shall assist in developing the system; such committee will consist of representatives of the division of county audit; the department of education; the local government data processing corporation; county technical assistance service; the municipal technical advisory service; and four (4) representatives from county governments, selected by the chairmen of the senate and house finance, ways and means committees.

AND FURTHER AMEND by adding a new item to Section 12 to read:

Item \_\_\_\_\_. There is hereby appropriated the sum of three hundred five thousand dollars (\$305,000.00) to the Department of Mental Health and Mental Retardation for the Community Mental Retardation Programs; it being the legislative intent to provide a one million dollar increase in state funds for these programs over the 1983-84 budget.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two million two hundred fifteen thousand dollars (\$2,215,000) to implement the provisions of Senate Bill No. 1798 (HB 1577) relative to increasing minimum retirement benefits of certain teachers, state employees and local government employees. The appropriation made in this item shall not take effect unless Senate Bill No. 1798 (HB 1577) becomes law.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. There is hereby appropriated to the state funding board the sum of five hundred thousand dollars (\$500,000) for a loan guarantee revolving fund to implement the provisions of the Emergency Financial Aid to Local Government Law of 1984 Chapter of the Public Acts of 1984 (SB 2152, HB 2181). Such funds shall be expended only for the purpose of payment of a loan guaranteed pursuant to such act. This appropriation shall be effective only upon SB 2152, HB 2181 becoming law.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the University of Tennessee Research Department for the sole use of the bull testing station at Columbia, Tennessee. The Test Station Committee, Dean of Experiment Stations, and the Dean of Extension Service must all mutually agree on any expenditures that have to do with design, redesign, improvements, additions or maintenance of any Bull Test Station.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by this act, there is hereby appropriated the sum of \$21,818,500 from state appropriations, federal grant funds and other departmental revenue to implement the provisions of Public

Chapter \_\_\_\_ (SB 1799/HB 1605), Public Acts of 1984, such funds to be distributed as follows:

To the Department of Health and Environment to cover the increased costs in the medicaid program,

|                  |                      |
|------------------|----------------------|
| \$7,066,200      | federal grant funds  |
| <u>2,922,500</u> | state appropriations |
| \$9,988,700      | total                |

To the Department of Human Services to cover the increased costs of grants and administration in the Aid to Families with Dependent Children program,

|                  |                               |
|------------------|-------------------------------|
| \$ 8,255,700     | federal grant funds and other |
|                  | departmental revenue          |
| <u>3,574,100</u> | state appropriations          |
| \$11,829,800     | total                         |

The Commissioner of Finance and Administration shall allocate the funds appropriated to the individual program allotment codes within each department.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the historical commission for the sole purpose of restoring the confederate soldier monument located in Winstead Cemetery on Bethel Street in Knoxville.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of Twenty-two Thousand Two Hundred Dollars (\$22,200.00) to the Comptroller of the Treasury for the sole purpose of funding a Senate and House Finance, Ways and Means Committees' staff support position.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one million thirty-one thousand three hundred fifty-four dollars (\$1,031,354) to implement the provisions of Senate Bill No. 2062/House Bill No. 2146 (Public Chapter \_\_\_\_\_) to be allocated as follows:

- |                                    |          |
|------------------------------------|----------|
| (1) Department of Labor            |          |
| (a) Medical Cost Commission        | \$ 7,133 |
| (b) Distributive Processing System | 350,000  |
| (c) Information Awareness Program  | 50,000   |
| (d) Second Injury Fund             | 541,021  |
| (2) Board of Claims                | 83,200   |

The appropriation made in this item shall only take effect if Senate Bill No. 2062/House Bill No. 2146 is enacted into law.

AND FURTHER AMEND by adding as a new item in Section 12, to be appropriately numbered, the following:

Item \_\_\_\_\_. In addition to any other funds appropriated by this act, there is hereby appropriated to the department of economic and community development the sum of eighty five thousand dollars (\$85,000) to fund the provisions of Senate Bill 1595/House Bill 2032. This item is subject to Senate Bill 1595/House Bill 2032 becoming a law.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item \_\_\_\_\_. From the funds appropriated to the department of conservation by the provisions of this act, there is earmarked the sum of one hundred thousand dollars (\$100,000) for the sole purpose of construction of a swimming pool at Indian Mountain State Park.

AND FURTHER AMEND by adding to Section 31 a new item, as follows:

Item \_\_\_\_\_. There is hereby transferred the sum of sixty thousand dollars (\$60,000) to the Reserve for Voting Machine Account for the sole purpose of providing loans to counties pursuant to voting machine loan agreements in accordance with the provisions of Tennessee Code Annotated, Title 2, Chapter 9, Part 1.

AND FURTHER AMEND by adding a new item to Section 37 as follows:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to the State Board of Regents the sum of ten thousand dollars (\$10,000) for the purpose of making campus improvements including but not limited to drainage, access roads, clearing of undergrowth, and a water connection to the baseball field on the Elbert T. Gill, Jr. Campus of Shelby State Community College.

AND FURTHER AMEND by adding a new sentence at the end of Section 44, item 9 as introduced, to read:



"Said funds are hereby appropriated to the State Construction program in the fiscal year beginning July 1, 1984."

AND FURTHER AMEND by adding a new item to Section 44 as introduced, to read:

Item \_\_\_\_\_. From the appropriation made to the Division of Water Quality Control in Section 1, Title III - 16, Item 3.4 of this act, there is hereby appropriated the sum of one million dollars (\$1,000,000.00) to the Tennessee Local Development Authority for the purpose of funding the "local development authority statutory reserve fund" established by Public Chapter of 1984 (Senate Bill 2176/House Bill 2205). The funds appropriated shall be used solely to support loans to cities and counties for sewage treatment facilities construction projects.

AND FURTHER AMEND by adding a new item to Section 41 as introduced, to read:

Item \_\_\_\_\_. To the extent that expenditures for Board and Care Contributions exceed the appropriation in Section 1, Title III-17, Item 3.2 of Chapter 403, Public Acts of 1983, the other appropriations in Section 1, Title III-17, are available for transfer. To the extent that federal revenue exceeds that estimated for Board and Care Contributions, it is hereby allotted. This item is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding a new item to Section 44 as introduced, to read:

Item \_\_\_\_\_. It is the legislative intent that from the appropriations made in Section 1 and Section 4 of this Act, there is hereby appropriated the necessary funds to implement Public Chapter of 1984 (Senate Bill 1556 - House Bill 1489) relating to retirement system membership and service credit for part-time employees of the state.

AND FURTHER AMEND by adding a new item to Section 44 as introduced, to read:

Item \_\_\_\_\_. It is the legislative intent that from the appropriation made under Chapter 403, Public Acts of 1983, in Section 1, Title III-1.1, item 1, Attorney General and Reporter, an amount not to exceed one hundred thousand dollars (\$100,000.00) may be carried forward into the fiscal year beginning July 1, 1984, for the purpose of purchasing equipment. This item is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding a new sentence at the end of Item 15 of Section 44 to read as follows:

In addition to any other appropriations made in this Act, there is hereby appropriated to the Regional Libraries the sum of \$81,200 to begin implementation of the State classification-compensation plan study within the Regional Libraries.

AND FURTHER AMEND by adding a new item to Section 44 of the bill as introduced, to read:

Item \_\_\_\_\_. The Commissioner of Finance and Administration is authorized to reimburse the actual cost of moving expenses to any employee of the Department of Correction whose position was terminated pursuant to the Correction Plan for the 80's and who was officially notified in writing that their position was being terminated and who transferred to another position in the Department of Correction.

The reimbursement shall be limited to the amount which would be allowable if the move had been an "involuntary transfer" under the Department of Finance and Administration's rules promulgated pursuant to Tennessee Code Annotated, Section 8-26-114.

AND FURTHER AMEND by adding two new items to Section 44 as introduced, to read:

Item \_\_\_\_\_. There is hereby appropriated two million dollars (\$2,000,000.00) to the Department of Conservation for forestry equipment. It is the legislative intent that this appropriation not revert to the general fund balance at June 30, 1985.

Item \_\_\_\_\_. There is hereby appropriated one hundred thirty thousand dollars (\$130,000.00) to the Tennessee Bureau of Criminal Investigation to fund the purchase of equipment in the laboratory.

AND FURTHER AMEND by deleting from Section 47 the last sentence in its entirety and by substituting instead the following:

Pursuant to Tennessee Code Annotated, Sections 67-5-702 and 67-5-703, the income eligibility limit for elderly low-income homeowners and for homeowners totally and permanently disabled shall be eight thousand five hundred dollars (\$8,500.00) for fiscal year 1984-85.

AND FURTHER AMEND by adding to Section 48 of the bill as introduced, the following amendatory language:

| <u>Department</u> | <u>State<br/>Appropriation</u> | <u>Departmental<br/>Revenue</u> |
|-------------------|--------------------------------|---------------------------------|
| 1. Agriculture    | \$ 184,000                     | \$ 24,400                       |
| 2. Commissions    | 236,900                        | 19,300                          |
| 3. Conservation   | 2,159,700                      | 16,000                          |
| 4. Correction     | 2,836,700                      | 111,200                         |

|  |                     |                     |
|--|---------------------|---------------------|
| 5. Economic & Community Development    | 170,300             | 28,400              |
| 6. Education                           | 235,500             | 84,100              |
| 7. Employment Security                 | -                   | 3,134,700           |
| 8. Executive                           | 20,800              | -                   |
| 9. Finance & Administration            | 111,900             | 327,900             |
| 10. General Services                   | 210,000             | 151,800             |
| 11. Health & Environment               | 1,604,300           | 1,698,900           |
| 12. Human Services                     | 2,391,200           | 4,078,300           |
| 13. Commerce & Insurance               | 181,000             | 375,400             |
| 14. Labor                              | 138,500             | 34,500              |
| 15. Mental Health & Mental Retardation | 5,132,500           | 210,000             |
| 16. Military                           | 94,000              | 173,400             |
| 17. Personnel                          | 82,100              | 20,400              |
| 18. Revenue                            | 1,384,900           | -                   |
| 19. Safety                             | 1,180,100           | 3,600               |
| 20. Tennessee Bureau of Investigation  | 150,400             | 4,800               |
| 21. Tourist Development                | 123,100             | -                   |
| 22. Veterans Affairs                   | 30,800              | -                   |
| 23. Legislature                        | 189,400             | 1,900               |
| 24. Court System                       | 210,500             | -                   |
| 25. Attorney General                   | 114,300             | 2,300               |
| 26. District Attorneys General         | 99,800              | 8,700               |
| 27. Secretary of State                 | 136,500             | -                   |
| 28. Comptroller of the Treasury        | 565,200             | 36,100              |
| 29. Treasurer                          | 25,600              | 134,300             |
| <b>TOTAL</b>                           | <b>\$20,000,000</b> | <b>\$10,700,400</b> |

There is further appropriated from dedicated state revenues, federal match funds and other departmental revenue earning, all according to the following schedule:

| <u>Department</u>              | <u>State Appropriation</u> | <u>Departmental Revenue</u> |
|--------------------------------|----------------------------|-----------------------------|
| 30. Housing Develop. Authority | \$ -                       | \$ 80,000                   |
| 31. Financial Institutions     | 97,200                     | -                           |
| 32. Wildlife Resources Agency  | 241,300                    | 84,800                      |
| 33. Public Service Commission  | 190,300                    | -                           |
| 34. Transportation             | 2,523,600                  | 1,026,600                   |
| <b>TOTAL</b>                   | <b>\$ 3,052,400</b>        | <b>\$ 1,191,400</b>         |

It is the intent of the General Assembly that these funds be used exclusively in the executive branch departments and agencies for the implementation of the classification/compensation plan study.

It is further the intent of the General Assembly that funds hereby allocated to departments and agencies of the legislative branch, the judicial branch, the constitutional officers, the district attorneys

general and the public service commission shall be used exclusively for the purpose of making adjustments in their respective classification/compensation plan.

**AND FURTHER AMEND** by adding a new section to read:

**SECTION \_\_\_\_.** Upon passage of this act, the public welfare requiring it:

Item 1. There is hereby appropriated the sum of ten million dollars (\$10,000,000.00) to the Department of Health and Environment to fund Medicaid program expenditures in the fiscal year ending June 30, 1984.

Item 2. There is hereby appropriated an amount not to exceed six million dollars (\$6,000,000.00) to the Department of Health and Environment to provide for the accrued liabilities of the Medicaid program at June 30, 1984.

Item 3. There is hereby appropriated the sum of twenty million dollars (\$20,000,000.00) to the Department of Health and Environment to fund the Medicaid program in the fiscal year beginning July 1, 1984.

**AND FURTHER AMEND** by deleting in the second paragraph of Section 1, Title III-26 the word and figure "Title III-26" and by substituting instead the words and figure "Section 1, Title III-26".

**AND FURTHER AMEND** by deleting in item 1 of Section 3 the words and figures "Title III-11 and Title III-16" and by substituting instead the words and figures "Section 1, Titles III-11 and III-16".

**AND FURTHER AMEND** by deleting in the last sentence of item 1 of Section 3 the word "act" and by substituting instead the word "paragraph".

**AND FURTHER AMEND** by deleting in item 8 of Section 11 the words "State Board of Elections" and by substituting instead the words "State Election Commission".

**AND FURTHER AMEND** by deleting in item 15 of Section 11 the figure "49-27-107" and by substituting instead the figure "49-11-104".

**AND FURTHER AMEND** by deleting in item 21 of Section 11 the word "provisions" and by substituting instead the word "provision".

**AND FURTHER AMEND** by deleting in item 21 of Section 11 the words and figures "Title 49, Chapter 5" and by substituting instead the words and figures "Title 49, Chapter 2, Parts 20 and 21".

**AND FURTHER AMEND** by deleting in the first sentence of Section 13 the word "act" and by substituting instead the words "act, the public welfare requiring it".

AND FURTHER AMEND by deleting in the first sentence of Section 21 the word "passage" and by substituting instead the words "passage of this act, the public welfare requiring it".

AND FURTHER AMEND by deleting in the first sentence of Section 28 the words and figures "Title 49, Chapter 29" and by substituting instead the words and figures "Title 49, Chapter 10".

AND FURTHER AMEND by deleting in the last sentence of Section 30 the words "Bond and Construction Fund" and by substituting instead the words "Capital Projects Fund".

AND FURTHER AMEND by deleting in Section 35 the word "act" and by substituting instead the words "act, the public welfare requiring it".

AND FURTHER AMEND by deleting in Section 40 the figure "49-1314" and by substituting instead the figure "49-3-312".

AND FURTHER AMEND by deleting in item 2 of Section 41 the word and figure "Title III-7" and by substituting instead the word and figure "Title III-17".

AND FURTHER AMEND by deleting in the first sentence of Section 42 the word "provision" and by substituting instead the word "provisions".

AND FURTHER AMEND in Section 43 by deleting the word and figures "III-1-1, items 3," and by substituting instead the word and figures "III-1, item 1,3".

AND FURTHER AMEND by deleting in Section 44 the words "Upon passage of this act" and by substituting instead the words "Upon passage of this act, the public welfare requiring it".

AND FURTHER AMEND by deleting in item 6 of Section 44 the words and figures "Chapter 54, Title 49" and by substituting instead the words and figures "Title 49, Chapter 4, Part 5".

AND FURTHER AMEND by adding after the last paragraph in Section 38 of the bill as introduced, the following amendatory language:

In addition to salary increases resulting from implementation of changes in the classification/compensation plan provided for elsewhere in this Act, employees in the state service shall receive salary increases as follows:

a. There shall be a 2% across-the-board pay increase effective July 1, 1984;

b. employees whose job performance is satisfactory and who have at least 24 months of state service as of July 1, 1984, shall receive a 2-step salary increase effective July 1, 1984;

c. employees whose job performance is satisfactory and who have at least 12 months of state service as of July 1, 1984, shall receive a 1-step salary increase effective July 1, 1984, and they shall receive a second 1-step salary increase when they reach 24 months of state service during the 1984-85 fiscal year. The second 1-step salary increase shall be effective the first day of the month following the completion of the 24th month;

d. employees whose job performance is satisfactory and who have less than 12 months of state service as of July 1, 1984, shall receive a 1-step salary increase when they reach 12 months of state service during the 1984-85 fiscal year. The 1-step salary increase shall be effective the first day of the month following the completion of the 12th month;

e. the provisions of sub-sections a, b, c and d above shall not apply to commissioned members of the highway patrol.

AND FURTHER AMEND by deleting from Section 1, III-1, the following words and amounts:

|   |              |
|---|--------------|
| 1. Attorney General and Reporter                        |              |
| 1.1 Attorney General and Reporter .....                 | \$ 2,768,600 |
| 1.2 Publication of Tennessee Reports ....               | 183,300      |
| 1.3 Special Litigation .....                            | 100,600      |
| 1.4 Attorney's Fees-Federal Civil Rights<br>Cases ..... | 715,300      |
| Total Attorney General and<br>Reporter .....            | \$ 3,767,800 |

and substituting in lieu thereof the following new words and amounts and changing the subtotals and totals appropriately:

|   |              |
|---|--------------|
| 1. Attorney General and Reporter                        |              |
| 1.1 Attorney General and Reporter .....                 | \$ 3,418,600 |
| 1.2 Publication of Tennessee Reports ....               | 183,300      |
| 1.3 Special Litigation .....                            | 100,600      |
| 1.4 Attorney's Fees-Federal Civil Rights<br>Cases ..... | 715,300      |
| Total Attorney General and<br>Reporter .....            | \$ 4,417,800 |

The increase of six hundred fifty thousand dollars (\$650,000) in the appropriation to the Attorney General and Reporter in Section 1, Title III-1, item 1.1 shall not be used to supplement the ten percent (10%) salary improvement and classification-compensation funds which are appropriated elsewhere in this Act and in Public Chapter 14 of the First Extraordinary Session of 1984.

AND FURTHER AMEND by deleting from Section 1, III-1, the following words and amounts:

2.4 IV-D Child Support Program 655,800

and substituting instead the following new words and amounts and changing the subtotals and totals appropriately:

2.4 IV-D Child Support Program 709,000

FURTHER AMEND by deleting from Section 4, III-1 the following words and amounts:

2.2 IV-D Child Support Program 1,530,000

and substituting in lieu thereof the following new words and amounts and adjusting subtotals and totals appropriately:

2.2 IV-D Child Support Program 1,654,400

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item \_\_\_\_\_. The Tennessee foundation program shall be increased by \$1,600,000 by transferring that sum from the \$4,500,000 appropriation made by Chapter 14 of the Public Acts of the 1984 First Extraordinary Session for the Vocational Education Center Project. This \$1,600,000 appropriation shall be used for the purpose of maintaining the secondary vocational education program cost differential factor at the current standard as established by Tennessee Code Annotated, Section 49-3-306, with WFTEADA computed at the 90% level. No reduction in other funding of secondary vocational education programs shall be made on account of this appropriation, it being the intent of the general assembly that this appropriation be used for the purpose herein stated. The commissioner of education shall report to the House and Senate Finance, Ways and Means Committees and the House and Senate Education Committees on the allocation, distribution and expenditure of such funds.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item \_\_\_\_\_. From the funds made available in this act to the State Building Commission for major maintenance and equipment and/or from the funds made available in this act to the Department of Finance and Administration for major maintenance and equipment, there is hereby earmarked an amount not to exceed seventy-five thousand dollars (\$75,000) to improve the auditorium in the State Office Building in Chattanooga to enable additional court hearings and/or proceedings to be held in such auditorium and to permit administrative procedures hearings to be held in such auditorium. The appropriation made in this item is subject to the approval of the state building commission.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item \_\_\_\_\_. From the funds appropriated by the provisions of this act to the department of transportation, there is earmarked the sum of fifty-four thousand dollars (\$54,000) to the Town of Adamsville to reimburse such town pursuant to a contract with the state through the department of transportation entered into on February 28, 1978.

**AND FURTHER AMEND** by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other appropriation made in this act, there is hereby appropriated to the Tennessee Department of Agriculture for soil conservation technical assistance the sum of two hundred thousand dollars (\$200,000). Such sum shall be divided equally among the ninety-five (95) counties.

**AND FURTHER AMEND** by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-two thousand five hundred dollars (\$22,500) to be allocated as follows:

|   |          |
|---|----------|
| Beech River Watershed Development Authority   | \$ 7,500 |
| Tennessee Elk River Development Agency        | \$ 7,500 |
| Tennessee Upper Duck River Development Agency | \$ 7,500 |

The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

**AND FURTHER AMEND** by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollar (\$100,000) to the city of Knoxville to be allocated and expended as follows:

(1) Fifty thousand dollars (\$50,000) for maintenance and repair of fountain city part, including restocking, repair and maintenance of fountain city lake and repair and maintenance of park facilities and lands; for

(2) Fifty thousand dollars (\$50,000) to maintain, repair and restock Chilhowee Lake.

The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

**AND FURTHER AMEND** by adding the following new item at the end of Section 12:



Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ninety-four thousand forty dollars (\$94,040) to Tennessee Technological University and the sum of one hundred eighty-seven thousand dollars (\$187,000) to the University of Tennessee to fund agricultural research and extension services in accordance with the provisions of Senate Bill No. 1727 (HB 2000).

**AND FURTHER AMEND** by adding as new items at the end of Section 12 the following:

Item \_\_\_\_\_. In addition to any other funds appropriated to the office of the Secretary of State, there is hereby appropriated eleven thousand four hundred dollars (\$11,400) to fund one (1) new secretarial position.

Item \_\_\_\_\_. In addition to any other funds appropriated to the State Library and Archives, there is hereby appropriated one hundred six thousand eight hundred dollars (\$106,800) to fund seven (7) new positions.

Item \_\_\_\_\_. In addition to any other funds appropriated to the regional libraries, there is hereby appropriated one hundred seventy thousand dollars (\$170,000) to fund ten (10) additional positions.

**AND FURTHER AMEND** by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated one hundred fifteen thousand five-hundred twenty dollars (\$115,520) to the judicial budget in Title II of Section 1. This funding shall be allocated as follows:

1. Eighty thousand five hundred and twenty dollars (\$80,520) for the Appellate and Trial Courts for the sole purpose of providing:

(a) a secretarial position for the 9th Judicial Circuit,

(b) Certiorari Clerk for the Supreme Court,

(c) To provide continuing judicial and legal education for judges,

2. Fourteen thousand dollars (\$14,000) for Verbatim Transcripts for the sole purpose of providing one (1) additional Court Reporter for the 10th Judicial Circuit.

3. Ten thousand dollars (\$10,000) for State Law Libraries for the sole purpose of maintaining the same.

4. Seven thousand five hundred dollars (\$7,500) for Court System Administration for the sole purpose of providing Data processing improvements for the Tennessee Judicial Information System.

3. Three thousand five hundred dollars (\$3,500) for the Board of Law Examiners for the sole purpose of providing shelf filing equipment.

**AND FURTHER AMEND** by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to Memphis State University for the development and expansion of the gerontology program offered in the department of education and recreation.

**AND FURTHER AMEND** by adding a new item in Section 12 the following:

Item \_\_\_\_\_. In addition to any other funds appropriated by this act, there is hereby appropriated the sum of Eighty Thousand and No/100 (\$80,000.00) Dollars to fund the provisions of SB 1489/HB 1594. This item is subject to SB 1489/HB 1594 becoming a law.

**AND FURTHER AMEND** by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to all other appropriations or allocations, there is hereby appropriated the additional sum of sixteen thousand five hundred dollars (\$16,500) to the John A. Gupton School of Mortuary Science. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

**AND FURTHER AMEND** by adding as a new item in Section 11 the following:

Item \_\_\_\_\_. From the funds appropriated to the department of conservation for maintenance, there is hereby appropriated a sum sufficient to extend the employment of part attendants from nine (9) months to twelve (12) months in the same positions.

**AND FURTHER AMEND** by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. There is hereby appropriated to the Tennessee Juvenile Justice Commission six hundred thousand dollars (\$600,000) to be allocated by the commission during fiscal year 1984-85 for the acquisition, erection, construction and equipment of sites and buildings, expressly including the acquisition of

existing structures, for expansion, improvement, betterments, and extraordinary repairs to existing structures for alternatives to adult jails for children. The commission may only make the proceeds available to a county or group of counties upon submission of both evidence of the county's or group of counties' ability to match equally the available state dollars and evidence of a county's or group of counties' need for such facilities. Priority shall be given to counties which propose the implementation of multi-county facilities. If any funds are unexpended during fiscal year 1984-85, they may be carried over into fiscal year 1985-86 for the same purpose. Counties may use a lease-purchase arrangement to fund their portion of any match required.

**AND FURTHER AMEND** by adding to Section 44 of the bill, as introduced, a new item to read:

Item \_\_\_\_\_. It is the legislative intent to appropriate to the Tennessee Consolidated Retirement System the balance of Federal Revenue Sharing entitlement funds withhold from the state and the interest income earned on the funds. Therefore, the appropriations for Retirement Accumulation Fund provided under Chapter 403, Public Acts of 1983, in Section 1, Title III-9, item 2.3e and in Section 45, item 4, are hereby appropriated from withheld Federal Revenue Sharing entitlement funds and interest income in a amount not to exceed one million one hundred thousand dollars (\$1,100,000.00).

**AND FURTHER AMEND** by deleting in Section 40 the words "the state share not to exceed thirty dollars (\$30.00) per day," and substituting instead the words "the state share not to exceed one-half of thirty dollars per day,".

**AND FURTHER AMEND** by adding to Section 37 of the bill as introduced, a new item to read:

Item \_\_\_\_\_. The appropriations made under Section 1, Title III-10. Higher Education, shall be adjusted within each respective system to reflect revised retirement and social security funding estimates according to a schedule to be provided by July 1, 1984, by the Tennessee Higher Education Commission in consultation with the Board of Regents and the University of Tennessee and the State Treasurer. Said adjustments are subject to the approval of the Commissioner of Finance and Administration, and the Commissioner is authorized to transfer said appropriations according to such schedule.

**AND FURTHER AMEND** by adding the following new item at the end of Section 44:

Item \_\_\_\_\_. There is hereby appropriated for fiscal year 1983-84 the sum of two hundred thousand thousand dollars (\$200,000.00) for the Special Joint Legislative Task Force on

State and Local Taxation created by House Joint Resolution 230 of 1983. Such funds as may remain in the account at the end of fiscal year 1983-84 shall not revert to the general fund, but shall remain available for the purposes provided for by such resolution.

AND FURTHER AMEND by adding a new item to Section 44 as introduced, to read:

Item \_\_\_\_\_. There is hereby appropriated four million five hundred thousand dollars (\$4,500,000) to the Department of Finance and Administration to acquire data processing equipment. This appropriation shall not revert to the general fund balance at June 30, 1985.

Before any funds may be obligated and/or expended under this appropriation, proposed specifications for the acquisition of such equipment shall be reviewed by the Fiscal Review Committee and the proposed bid award(s) shall be reviewed by the Fiscal Review Committee.

AND FURTHER AMEND by adding a new item to Section 44 as introduced, to read:

Item \_\_\_\_\_. There is hereby appropriated five million dollars (\$5,000,000.00) to the Department of General Services to acquire telephone systems for state agencies and departments subject to the approval of the Board of Standards. This appropriation shall not revert to the General fund balance at June 30, 1985.

Before any funds may be obligated and/or expended under this appropriation, proposed specifications for the acquisition of such equipment or systems shall be reviewed by the Fiscal Review Committee and the proposed bid award(s) shall be reviewed by the Fiscal Review Committee.

AND FURTHER AMEND by adding a new item to Section 44 as introduced, to read:

Item \_\_\_\_\_. In addition to the appropriations in Section 4 of this Act, there is appropriated three hundred thirty five thousand dollars (\$335,000.00) to the Department of General Services to supplement the operations of the Office of Communications. It is the legislative intent that this appropriation be funded from user charges on telecommunications systems.

AND FURTHER AMEND by adding a new item to Section 44, as introduced, to read:

Item \_\_\_\_\_. There is hereby appropriated one million one hundred thirty thousand dollars (\$1,130,000.00) to the Department of Safety to fund a separate pay plan for commissioned members of

the highway patrol as provided under Public Chapter \_\_\_\_ of 1984 (Senate Bill 1729 - House Bill 2001).

**AND FURTHER AMEND** by adding the following new item at the end of Section 11:

Item \_\_\_\_\_. There is appropriated to the State Building Commission an amount not to exceed one million dollars (\$1,000,000.00). From this sum there is appropriated five hundred and twenty five thousand dollars (\$525,000.00) for the sole purpose of building a plant pest identification and disease diagnostic laboratory at the Ellington Agricultural Center. From this sum there is further appropriated four hundred seventy five thousand dollars (\$475,000.00) to be used for the sole purpose of establishing a tree nursery in eastern Tennessee. The funds appropriated by this item shall not revert to the general fund on June 30, 1984, or on any June 30 thereafter and such funds shall remain available until expended or obligated. The appropriation made in this item is subject to the approval of the State Building Commission.

**AND FURTHER AMEND** by adding the following new item at the end of Section 11:

Item \_\_\_\_\_. From the funds appropriated in Section 1, Title III-16, item 6.2 and Section 4, Title III-17, item 6.2 of this act to "Medicaid Services", there is hereby earmarked sufficient funds to pay the following relative to drugs furnished to Medicaid patients:

1. a. Actual acquisition cost of drugs, except drugs described in 2. below, plus a professional fee of three dollars and forty-five cents (\$3.45) per prescription; or

b. The usual and customary drug charge to the general public, whichever is less.

2. Drugs for which the Department of Public Health and/or the federal government have published maximum reimbursement prices to include the acquisition cost or the maximum reimbursement price, whichever is less, plus the professional fee of three dollars and forty-five cents (\$3.45) per prescription, or the usual and customary charge to the public, which ever is less.

**AND FURTHER AMEND** by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five hundred dollars (\$500) to the Tennessee Mothers Association.

**AND FURTHER AMEND** by adding the following new item at the end of Section 11:

Item \_\_\_\_\_. From the funds appropriated to the Department of Tourist Development by the provisions of this act, there is earmarked the sum of five hundred dollars (\$500) to the Tennessee Mothers Association.

**AND FURTHER AMEND** by adding as a new item in Section 12, to be appropriately numbered, the following:

Item \_\_\_\_\_. In addition to any other funds appropriated by this act, there is hereby appropriated a sum sufficient to the Department of Labor to provide annual salary increases to employees at the Tennessee Learning Center. Such annual salary increases shall comply with the provisions of the pay plan for state employees adopted in this act.

**AND FURTHER AMEND** by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to the State Building Commission a sum sufficient for the sole purpose of land acquisition at the Tri-Cities State Technical Institute. It is the legislative intent that in no case shall the State contribute more than seventy-five percent (75%) of the total cost of acquiring this land. Provided, however, that if such sum sufficient exceeds one million dollars (\$1,000,000) then the funds appropriated in excess of one million dollars (\$1,000,000) shall be subject to the approval of the Commissioner of Finance and Administration and the State Building Commission.

**AND FURTHER AMEND** by deleting from Section 1 in its entirety, Title III-7, Department of Correction, and substitute instead the following:

**7. Department of Correction**

|  |                 |
|--|-----------------|
| 1. Division of Administration .....            | \$ 2,707,200.00 |
| 2. Division of Adult Probation .....           | 5,626,200.00    |
| 3. Division of Juvenile Probation .....        | 3,603,100.00    |
| 4. State Prosecutions .....                    | 17,144,700.00   |
| 5. Correction Training Academy .....           | 1,800,800.00    |
| 6. Rehabilitative Services .....               | 3,068,700.00    |
| 7. Regional Work Corps .....                   | 1,910,000.00    |
| 8. Nashville Community Service Center .....    | 2,883,300.00    |
| 9. Tennessee State Prison .....                | 15,770,200.00   |
| 10. East Tennessee Reception Center .....      | 5,909,700.00    |
| 11. Fort Pillow State Farm .....               | 8,383,400.00    |
| 12. Women's Prison .....                       | 3,803,200.00    |
| 13. Turney Center for Youthful Offenders ..... | 7,487,600.00    |
| 14. DeBerry Correctional Institute .....       | 4,315,800.00    |

|     |   |              |
|-----|---|--------------|
| 15. | Shelby County Regional Facility .....   | 4,066,200.00 |
| 16. | Middle Tennessee Reception Center ..... | 5,982,300.00 |
| 17. | Bledsoe County Regional Facility .....  | 6,836,900.00 |
| 18. | Morgan County Regional Facility .....   | 6,686,900.00 |
| 19. | Lake County Regional Facility .....     | 5,902,500.00 |
| 20. | Spencer Youth Center .....              | 4,957,600.00 |
| 21. | James M. Taft Youth Center .....        | 4,067,800.00 |
| 22. | Tennessee Youth Center .....            | 1,867,600.00 |
| 23. | Foster and Group Homes .....            | 2,899,600.00 |
| 24. | John S. Wilder Development Center ..... | 2,672,000.00 |

Total Title III-7 ..... \$ 130,347,300.00

**AND FURTHER AMEND** by deleting from Section 4 in its entirety, Title III-7. Department of Correction, and substitute instead the following:

**7. Department of Correction**

|     |  |              |
|-----|--|--------------|
| 1.  | Division of Administration .....           | \$ 26,500.00 |
| 2.  | Division of Adult Probation .....          | 77,000.00    |
| 3.  | Division of Juvenile Probation .....       | 13,000.00    |
| 4.  | Correction Training Academy .....          | 11,600.00    |
| 5.  | Rehabilitative Services .....              | 424,400.00   |
| 6.  | Regional Work Corps .....                  | 63,200.00    |
| 7.  | Nashville Community Service Center .....   | 1,171,000.00 |
| 8.  | Tennessee State Prison .....               | 1,563,700.00 |
| 9.  | East Tennessee Reception Center .....      | 225,200.00   |
| 10. | Fort Pillow State Farm .....               | 1,495,100.00 |
| 11. | Women's Prison .....                       | 492,700.00   |
| 12. | Turney Center for Youthful Offenders ..... | 6,444,300.00 |
| 13. | DeBerry Correctional Institute .....       | 131,600.00   |
| 14. | West Tennessee Reception Center .....      | 60,600.00    |
| 15. | Middle Tennessee Reception Center .....    | 312,900.00   |
| 16. | Bledsoe County Regional Facility .....     | 1,328,200.00 |
| 17. | Morgan County Regional Facility .....      | 624,300.00   |
| 18. | Lake County Regional Facility .....        | 476,300.00   |
| 19. | Spencer Youth Center .....                 | 362,100.00   |
| 20. | James M. Taft Youth Center .....           | 330,800.00   |
| 21. | Tennessee Youth Center .....               | 185,100.00   |
| 22. | Foster and Group Homes .....               | 47,000.00    |
| 23. | John S. Wilder Development Center .....    | 218,700.00   |

Total Title III-7 ..... \$ 16,085,300.00

**AND FURTHER AMEND** by adding a new item to Section 44 to read:

Item \_\_\_\_\_. There is here by appropriated the sum of seven hundred sixty seven thousand five hundred dollars (\$767,500.00) to the Department of Correction for capitol outlay and major maintenance. The appropriation shall not revert to the general fund balance at June 30, 1985.

AND FURTHER AMEND by adding as a new item in Section 11 the following:

Item \_\_\_\_\_. The Commissioner of correction shall submit a report not less than every ninety (90) days to the Fiscal Review Committee and to the Finance, Ways and Means Committees and State and Local Government Committees of the House and Senate. Such report shall detail the expenditure of funds and the progress of the correction plan and such other information as the committees may request.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. There is hereby appropriated to the Wildlife Resources Agency one million one hundred thousand dollars (\$1,100,000) out of the Wildlife Resources Fund for the purpose of acquiring the White Oak Swamp Land. Pursuant to Tennessee Code Annotated, Section 70-1-306, such purchase shall be made in the name of the state for the use and benefit of the Wildlife Resources Agency.

AND FURTHER AMEND by adding as a new item in Section 12 the following:

Item \_\_\_\_\_. In addition to any other funds appropriated by this act, there is hereby appropriated the sum of TWO HUNDRED NINETY SIX THOUSAND THREE HUNDRED EIGHTY FIVE DOLLARS (\$296,385) to fund the provisions of Senate Bill 1812/House Bill 1654. This item is subject to Senate Bill 1812/House Bill 1654 becoming a law.

AND FURTHER AMEND by adding as a new item in Section 11 the following:

Item \_\_\_\_\_. From the funds appropriated to the department of correction to fund fifty one (51) new positions, there is hereby appropriated a sum sufficient to fund fifteen (15) positions to implement the provisions of Senate Bill 1812/House Bill 1654. This item is subject to Senate Bill 1812/House Bill 1654 becoming a law.

AND FURTHER AMEND by adding the following at the end of Item 1 of Section 37:

There shall be a minimum two percent (2%) across-the-board pay increase for all support personnel effective July 1, 1984. Further, support personnel whose job performance is satisfactory shall receive an additional eight percent (8%) salary increase effective July 1, 1984.

It is the legislative intent that each faculty member of the Board of Regents and the University of Tennessee shall receive



at least an eight percent (8%) increase effective July 1, 1984, unless the most recent evaluation from the 1983-84 school year is unsatisfactory and is present in the faculty member's personnel file.

**AND FURTHER AMEND** by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one million eight hundred thousand dollars (\$1,800,000) to the University of Tennessee at Chattanooga for the purposes of acquiring property adjacent to such university, demolition of buildings on such property and construction of and paving parking lots. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

**AND FURTHER AMEND** by adding the following new item one to Section 44 as introduced and by renumbering the subsequent items accordingly:

Item \_\_\_\_\_. In addition to any other funds appropriated by this act, there is hereby appropriated the sum of \$10.0 million to establish the Chairs of Excellence Endowments for the state's public universities subject to the following terms and conditions:

(1) the Chairs of Excellence Endowment shall be established as an irrevocable trust by the State Treasurer;

(2) said trust shall include but not be limited to the \$10.0 million dollars appropriated by this item together with not less than \$10.0 million to be contributed by the respective public universities which may include contributions from private sources made on behalf of the respective universities;

(3) the investments of said endowment by the state treasurer shall be governed by the same laws, guidelines and policies which govern the investments of the Tennessee Consolidated Retirement System;

(4) the corpus of the trust shall not be expended for any purpose;

(5) the income from the trust shall be expended for the exclusive purpose of funding the Chairs of Excellence Program established pursuant to this item, provided however the expense of investing said endowment may also be deducted from the income of the trust;

(6) the Treasurer shall divide the income from said trust equally into two general accounts, fifty percent (50%) of

said income for the University of Tennessee and fifty percent (50%) of said income for the institutions governed by the State Board of Regents. The general account shall be further divided into sub accounts as Chairs of Excellence are established pursuant to the provisions of this item. Said sub account shall have an allocation of the assets of the endowment sufficient to fund the Chair and all income from said allocation of the assets of the endowment shall be paid to the sub accounts. Provided however, that nothing herein shall be construed as limiting the Treasurer's authority to commingle the assets of the endowment for the purpose of investing the assets of the trust. Income in excess of each years' program requirement as established prior to the beginning of each academic year shall be paid into a special reserve which will be maintained at the sub account level. Provided further, that excess income from assets in the respective general accounts which have not been allocated to establish a Chair shall be maintained in a special reserve in the applicable general account;

(7) institutions which are eligible to participate in the Chairs of Excellence program shall be limited to the state's four year public universities granting baccalaureate degrees. Provided however, the University of Tennessee Space Institute shall be eligible to participate in the Chairs of Excellence Program. All eligible institutions shall receive at least one Chair of Excellence; and

(8) such other terms and conditions, not inconsistent with the purposes set forth in this item, which are necessary to perfect such a trust. The terms and conditions of said trust shall be subject to the approval of the Attorney General and Reporter.

The investment income from the Chairs of Excellence Endowment established pursuant to this item is hereby appropriated for the sole purpose of funding the Chairs of Excellence Program. It is the legislative intent that the funds so appropriated to the endowment shall be matched on a one-to-one basis by the participating institutions. At least half of the institutional matching funds shall come from private sources. The governing boards shall establish criteria, accept proposals from eligible institutions, evaluate the proposals, and designate the Chairs. The Tennessee Higher Education Commission shall have an advisory role related to the location of the Chairs upon the recommendation by the two governing boards. The Higher Education Commission's comments and the governing board's decisions with respect to the specific Chairs to be established shall be transmitted to the Joint Legislative Oversight Committee established by Public Chapter 7 of the First Extraordinary Session of 1984. The Joint Legislative Oversight Committee shall review each specific Chair established by the respective governing boards. No funds shall be expended for the Chairs of Excellence established by this section until the governing boards have received the written

comments of the Joint Legislative Oversight Committee on each specific Chair established. It is a legislative intent that the professors hired by the institutions under this program shall be persons of regional and, preferably, national eminence.

**AND FURTHER AMEND** by deleting Section 30 in its entirety and substituting a new Section 30 to read as follows:

**SECTION 30.**

To the extent that state revenues of the general fund for the fiscal year ending June 30, 1984 exceed the requirements of such fund and after all other appropriations are made under the provisions of this Act, there is appropriated such excess amount to the Tennessee Consolidated Retirement System for distribution as follows:

(1) All such excess revenues shall go first to fund the accrued liability for benefits to be paid to Aged Teachers and Aged State Employees under the provisions of TCA , Title 8, Chapter 39, Part1; provided however, such shall be in lieu of any monies appropriated to fund these benefits under any other provisions of this Act;

(2) Any excess revenues remaining after the provisions of (1) above are fully satisfied shall be paid to fund the "Bonus Cost-of-Living" paid in accordance with the provisions of TCA , 8-36-707; provided however, such shall be in lieu of any monies appropriated to fund this benefit under any other provisions of this Act; and

(3) Any excess revenue remaining after the provisions of (1) and (2) above have been satisfied shall be used to fund benefits provided by TCRS which are state funded.

The Commissioner of Finance and Administration is directed to transfer to the Tennessee Consolidated Retirement System any such excess amount.

**AND FURTHER AMEND** by inserting in Item 9 of Section 44 after the second sentence the following new sentence:

Such restored funds shall be used in accordance with 23 U.S.C. Section 101 et seq., being "The Federal Aid Highway Act".

**AND FURTHER AMEND** in Section 12 a new item thereto, as follows:

Item \_\_\_\_ . There is hereby appropriated to the Department of Mental Health and Mental Retardation the sum of one hundred forty-five thousand two hundred dollars (\$145,200) for the purpose of implementing the provisions of Senate Bill 1529/House Bill 1503. This appropriation shall be in addition to all other

appropriations to the Department of Mental Health and Mental Retardation, but shall be effective only if Senate Bill 1529/House Bill 1503 becomes law.

AND FURTHER AMEND by deleting from Title II of Section 1 the following item:

- 3. Verbatim Transcripts ..... . 1,366,800.00

by substituting instead the following:

- 3. Verbatim Transcripts ..... . 1,246,800.00

and by adjusting subtotals and totals in Section 1 accordingly.

AND FURTHER AMEND by adding to Section 10 as a new item to be appropriately numbered, the following:

Item \_\_\_\_\_. In addition to any other funds appropriated to fund Appellate and Trial Courts there is hereby appropriated the sum of two hundred seventy three thousand eight hundred forty dollars (\$273,840) to fund three (3) additional trial courts, to provide for a judge and necessary expenses, equipment, and personnel for each. The provisions of this item shall be subject to passage of SB 2069/HB 1977.

AND FURTHER AMEND by adding to section 10 as a new item, to be appropriately numbered, the following:

Item \_\_\_\_\_. In addition to any other funds appropriated to fund District Attorneys General there is hereby appropriated the sum of three hundred and eighteen thousand, one hundred and sixty dollars (\$318,160.00) to fund sixteen (16) additional assistant attorney general positions, to provide for assistant attorneys general, expenses, equipment and personnel as necessary for each position. The provisions of this item shall be subject to passage of SB 2069/HB1977.

AND FURTHER AMEND by adding as a new item in Section 12 the following:

Item \_\_\_\_\_. In addition to any other funds appropriated by this act there is hereby appropriated the sum of One Hundred Ninety-Four Thousand Eight Hundred Twenty and No/100 (\$194,820.00) Dollars to fund the provision of Sb 341/HB 247.

This item is subject to SB 341/HB 247 becoming law.

AND FURTHER AMEND by adding as a new item in Section 11 the following:

Item \_\_\_\_\_. From the highway funds appropriated to the department of transportation there is hereby appropriated the sum

of SEVEN MILLION FIVE HUNDRED THOUSAND (\$7,500,000) DOLLARS to the state funding board for the first year's funding of the bond issue authorized by Senate Bill 2126/House Bill 2141, if said Senate Bill 2126/House Bill 2141 becomes law. This item is subject to the approval of the Commissioners of the department of finance and administration and the department of transportation.

AND FURTHER AMEND by adding as a new item in Section 12 the following:

Item \_\_\_\_\_. In addition to any other funds appropriated by this act, there is hereby appropriated the sum of One Hundred Fifty-Seven Thousand and No/100 (\$157,000.00) Dollars to fund the provisions of Senate Bill 1620/House Bill 1486. This item is subject to Senate Bill 1620/House Bill 1486 becoming a law.

AND FURTHER AMEND by adding as a new item in Section 11 the following:

Item \_\_\_\_\_. From the appropriation to the office of the comptroller of the treasury, item 4.10 Tax Rebate Program, there is hereby appropriated a sum sufficient to fund the provisions of Senate Bill 1732/House Bill 1783. This item is subject to Senate Bill 1732/House Bill 1783 becoming a law.

AND FURTHER AMEND by deleting from Section 1, Title III-1., the following items and by appropriately changing the totals and subtotals:

**"5.2 Board of Claims**

|    |                       |    |                     |
|----|-----------------------|----|---------------------|
| a. | Awards                | \$ | 3,609,600.00        |
| b. | Criminal Injuries     |    |                     |
|    | Compensation Program  | .  | <u>1,853,400.00</u> |
|    | Total Board of Claims | \$ | 5,463,000.00        |

5.3 Defense Council Commission \$ 400,000.00"

AND FURTHER AMEND by adding to Section 1, Title III-1., the following new items and by appropriately changing the subtotals and totals:

**"7. Claims and Compensation**

|    |                               |    |                     |
|----|-------------------------------|----|---------------------|
| a. | 7.1 Claims Awards Fund        | \$ | 3,609,600.00        |
|    | 7.2 Defense Counsel Awards    | .  | 400,000.00          |
|    | 7.3 Criminal Injuries         |    |                     |
|    | Compensation Awards           | .  | <u>3,148,400.00</u> |
|    | Total Claims and Compensation | \$ | 7,158,000.00"       |

AND FURTHER AMEND by adding to Section 4, Title III-12., the following new item and by appropriately changing the subtotals and totals:

"4. Tennessee Claims Commission                      \$    466,700.00

The appropriation made in this item shall be effective only if Senate Bill 2030/House Bill 1978 is enacted into law."

AND FURTHER AMEND by adding a new Section to be appropriately numbered and to read as follows:

"Section \_\_\_\_\_. The State Treasurer, with the approval of the Commissioner of Finance and Administration, is authorized to transfer appropriations made in this act and appropriations made in Public Chapter 14 of the First Extraordinary Session of 1984, for the purpose of implementing the provisions of Senate Bill 2030/House Bill 1978 should this legislation be enacted into law during the 1984 Regular Session of the General Assembly. In addition, to the extent necessary for implementation of this legislation, the Treasurer with the approval of the Commissioner of Finance and Administration is authorized to transfer funds from the fund balance designated for claims against the state to the claims award fund established pursuant to Senate Bill 2030/House Bill 1978.

Further, the provisions of Section 30 of this act to the contrary notwithstanding, the Commissioner of Finance and Administration is authorized to establish a reserve for payment of awards of the board of claims, including judgements against state employees which are approved for payment pursuant to Tennessee Code Annotated, Section 9-8-220, in an amount not to exceed \$5,000,000."

AND FURTHER AMEND by deleting Section 31, Item 6 in its entirety.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item \_\_\_\_\_. From the funds appropriated by Chapter 916, Public Acts of 1982 to the Department of Legislature and carried forward in a reserve by the provisions of Chapter 403 of the Public Act of 1983, there is appropriated a sum sufficient to the Senate for the sole purpose of purchasing a new voting machine system for the Senate chamber. The appropriation of such funds to the Senate is subject to the approval of the Speaker of the Senate and the Senate Management Committee.

AND FURTHER AMEND by adding a new section at the end of Section 31 (original bill) to be appropriately numbered and to read as follows:

Section \_\_\_\_\_. There is hereby appropriated an amount of ninety thousand dollars (\$90,000) for a waterline in Jackson County to Camp Discovery. This appropriation is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by deleting the period (.) at the end of Item 1 of Section 11 and by adding the following:

"or as provided in Title 41, Chapter 8, the County Correctional Incentives Act".

AND FURTHER AMEND by adding a new item in Section 12 as follows:

Item \_\_\_\_\_. In addition to any other funds appropriated by this act, there is hereby appropriated a sum sufficient to fund the increase in expenditures necessitated by Senate Bill 2096/House Bill 2219 if said bill becomes a law.

AND FURTHER AMEND by adding a new item in Section 12 as follows:

Item \_\_\_\_\_. In addition to any other funds appropriated by this act, there is hereby appropriated a sum sufficient to fund the increase in expenditures necessitated by Senate Bill 2182/House Bill 2210 if said bill becomes a law.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. There is appropriated the sum of one million dollars (\$1,000,000) to the commission on fire fighting personnel standards and education for payment to eligible units of local government to pay bonus supplements to firemen who successfully complete an in-service training program appropriate to such fireman's rank and responsibility and the size and location of his department of at least forty (40) hours duration at a school established or certified by such commission. The funds appropriated by this item shall be disbursed in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 24 and no supplement to any person shall exceed two hundred and fifty dollars (\$250).

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one million five hundred thousand dollars (\$1,500,000.00) to the State Board of Education to be used solely to implement a pilot program for the 1984-85 school year to provide elementary guidance counselors.

The State Board of Education shall submit a preliminary report to the General Assembly in 1984 on such pilot program and the Education Committees of the Senate and House of Representatives shall submit their recommendations on elementary guidance programs to the General Assembly prior to the conclusion of the 1985 legislative Session. The appropriation made in this item shall be nonrecurring, subject however to action by the General Assembly following receipt and consideration of said report.

**AND FURTHER AMEND** by adding the following new item at the end of Section 31:

Item \_\_\_\_\_. There is hereby appropriated an amount of two million dollars (\$2,000,000) to the University of Tennessee at Martin for campus improvements. This appropriation is subject to the approval of the Commissioner of Finance and Administration.

**AND FURTHER AMEND** by deleting Section 1, Title III-21, item 1.8 which reads as follows:

1.8 Tennessee Association of Rescue Squads ... . 60,000.00

and by substituting instead the following and adjusting all subtotals and totals accordingly:

1.8 Tennessee Association of Rescue Squads ... . 65,000.00

The increase of five thousand dollars (\$5,000) in the appropriation to the Tennessee Association of Rescue Squads in Section 1, Title III-21, item 1.8 is subject to approval of the commissioner of finance and administration.

**AND FURTHER AMEND** by adding the following new items at the end of Section 11:

"Item \_\_\_\_\_. From the funds appropriated to the division of property assessments or to the state board of equalization by the provisions of Chapter 403 of the Public Acts of 1983, there is hereby earmarked a sum sufficient to fund the additional compensation for assessors and deputy assessors pursuant to the provisions of Senate Bill No. 1654/House Bill No. 1589 (Chapter \_\_\_, Public Acts of 1984).

Item \_\_\_\_\_. From the funds appropriated to the division of property assessments or to the state board of equalization by the provisions of this act, there is hereby earmarked a sum sufficient to fund the additional compensation for assessors and deputy assessors pursuant to the provisions of Senate Bill No. 1654/House Bill No. 1589 (Chapter \_\_\_, Public Acts of 1984)."

**AND FURTHER AMEND** by adding the following new item at the end of Section 12:



Item \_\_\_\_\_. In addition to any other appropriation made in this act, there is hereby appropriated to the legislative branch an amount of four hundred fifty-four thousand and four hundred dollars (\$454,400) for the purpose of carrying out the provisions of Senate Bill No. 861/House Bill No. 949 (Public Chapter \_\_\_\_\_) relating to legislative pay and allowances.

**AND FURTHER AMEND** by adding the following new item at the end of Section 11:

Item \_\_\_\_\_. From funds appropriated to the Department of Economic and Community Development, there is appropriated \$2,000,000 to the Tennessee Technology Foundation. Said appropriation shall be used by the Tennessee Technology Foundation for the benefit of the community and for the purposes contained in House Bill No. 1462/Senate Bill No. 2092 as enacted.

The Comptroller of the Treasury is authorized to audit the Foundation to insure that proper records are kept and that the matching funds are expended for the purposes for which the Foundation is established.

The funds appropriated pursuant to this act shall not revert to the general fund on any June 30 but shall remain available until obligated or expended.

**AND FURTHER AMEND** by adding a new item to Section 11 to be appropriately numbered and to read as follows:

Item \_\_\_\_\_. That from the appropriations made under Chapter 403, Public Acts of 1983, to the Department of Legislature, any unexpended funds shall be carried forward in a reserve into the fiscal year beginning July 1, 1984 for expenditure in that year, subject to the approval of the Speaker of the Senate and the Speaker of the House of Representatives.

**AND FURTHER AMEND** by adding the following new item at the end of Section 11:

Item \_\_\_\_\_. The appropriation to the Hazardous Waste Remedial Action fund in the department of health and environment is hereby reduced by the sum of one million dollars (\$1,000,000).

**AND FURTHER AMEND** by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. There is hereby appropriated the sum of sixty-seven thousand six hundred twenty-nine dollars (\$67,629) to the Department of Conservation to contract with the Memphis State University for a study. This appropriation shall be in addition to all other funds appropriated, allocated, or available to the Department of Conservation or the Memphis State University.

The study shall be conducted by the university through its Bureau of Business and Economic Research, Institute for Engineering Research, and Regional Economic Development Center to determine:

1. The feasibility of connecting the Meeman-Shelby Forest State Park with the Mud Island Park and River Museum through a Mississippi River transportation system.

2. Alternative development plans which would satisfy the need and demand for such facilities.

3. Benefit/cost ratios for each proposed alternative development plan.

The schedule for the research activities will not be limited to the following:

A. Market analysis: Need and demand for lodging and recreation facilities at Meeman-Shelby Forest Park

B. Potential for a riverboard excursion axis between downtown Memphis and Meeman-Shelby Forest Park

C. Logical mix of facilities and services of resort hotel

D. Site selection and design concept

(1) Site selection criteria

(2) Identification of alternative sites

(3) Physical characteristics of each site

(4) Recommendation and justification for ranking sites

(5) Design concept

E. Site development plan

F. Meeman-Shelby Park Lodge--develop estimates of engineering and construction costs for alternative lodge designs

G. Boat docking facility--develop and analyze alternative locations and designs for boat docking facilities. Estimate costs for these alternative designs.

H. Transportation systems--develop and analyze alternative methods of providing river transportation between Mud Island and Meeman-Shelby Forest Park

I. Economic benefits

- (1) Primary benefits
  - a. User benefits
  - b. Sales tax benefits
- (2) Secondary benefits
  - a. Employment
  - b. Taxes

J. Project costs and revenues - Lodge

K. Project costs and revenues - Transportation system

L. Benefit/cost estimates for alternate plans

- (1) Lodge
- (2) Transportation system

The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the department of conservation the sum of three hundred thousand dollars (\$300,000) for the sole purpose of renovation, restoration, maintenance and repair at Booker T. Washington State Park, including: boat docks, and boat slips, pavilions with picnic tables, a recreation and entertainment pavilion and construction of an additional picnic area north of the swimming pool. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. There is hereby appropriated to the Commission on Aging the sum of one hundred thousand dollars (\$100,000) to be used solely and exclusively for the Retired Senior Volunteer Program (R.S.V.P.). This appropriation shall be in addition to all other appropriations made to the Commission on Aging. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act there is appropriated to the department of health and environment the sum of two hundred fifty thousand dollars (\$250,000) to be used for the sole purpose of matching federal funds allocated to the Baxter Water Utility District for the extension of the water line to serve the rest stop on I-40 in Smith County so that additional water service may be provided the citizens of that area. The appropriation made in this item shall be effective only if the application by the county of Putnam for a grant to fund the costs of such additional water service is not approved. The appropriation made in this item is subject to the approval of the commissioner of economic and community development.

**AND FURTHER AMEND** by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-eight thousand dollars (\$38,000) to the department of health and environment for use in the treatment of epilepsy and aid to epileptics pursuant to the provisions of Tennessee Code Annotated, Title 68, Chapter 49.

**AND FURTHER AMEND** by adding a new item to Section 31 (original bill) to be appropriately numbered and to read as follows:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$600,000 to the State Building Commission for the sole purpose of construction of a museum at Milan, Tennessee, to exhibit the collection of agricultural machinery and implements from the estate of Mr. Tom McCuthe. The appropriation made in this item is subject to the condition that the University of Tennessee design such museum. The appropriation made in this item shall not revert at the end of any fiscal year but shall remain available until expended in accordance with the provisions of this item.

**AND FURTHER AMEND** by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. From funds available for pre-planning, the State Building Commission is directed to pre-plan an agricultural museum at Milan, Tennessee.

**AND FURTHER AMEND** by adding the following new item at the end of Section 12:

Item \_\_\_\_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty thousand dollars (\$30,000) to the Institute for African Affairs at Tennessee State University. Such funds shall be allocated for the following purposes:

- (1) employment of a full-time assistant director of the institute;
- (2) employment of a full-time clerk; and
- (3) purchase of books and literary selections for the Alex Haley Select Reading and Reference Room.

It is the legislative intent that \$100,000 be the total appropriation for the Institute for African Affairs at Tennessee State University and the Commissioner of Finance and Administration is directed to reduce the appropriation made in this item if necessary to limit such total appropriation to \$100,000.

AND FURTHER AMEND by adding as a new item, to be appropriately numbered in Section 10 the following:

Item \_\_\_\_\_. There is hereby appropriated to Indigent Defendants Counsel the sum of fifty thousand one hundred sixty dollars (\$50,160) to fund the provisions of SB 1857/HB 2063. The appropriation in this item shall be in additional to any other funds appropriated by other items of this act. This appropriation is subject to the approval by the Executive Secretary of the Supreme Court and the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding a new item in Section 12 as follows:

Item \_\_\_\_\_. In addition to any other funds appropriated by this act, there is hereby appropriated a sum sufficient not to exceed five hundred thousand dollars (\$500,000) to fund the increase in attorney's fees authorized by Senate Bill 1497/House Bill 1481, if such bill becomes law.

AND FURTHER AMEND by adding to Section 11 a new item as follows:

Item \_\_\_\_\_. From the funds appropriated to the department of tourist development, there is earmarked a sum sufficient not to exceed \$150,000 for the sole purpose of keeping all state welcome centers open twenty-four (24) hours per day, seven (7) days per week, each week during the period of time in which daylight savings time is in effect in Tennessee.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item \_\_\_\_\_. From the funds appropriated to Lakeshore Mental Health Hospital in the Department of Mental Health and Mental Retardation in Section 1, Title III-14, 2.5, there is hereby earmarked a sum sufficient to fund, maintain, and retain the

Riverbend Autistic Program at Lakeshore Mental Health Hospital. No funds appropriated by this act shall be used for moving said program from said hospital or contracting with a private agency to manage or perform the functions currently included in the Riverbend Autistic Program. The Fiscal Review Committee shall review actions taken pursuant to this item.

**AND FURTHER AMEND** by adding the following new item at the end of Section 11:

Item \_\_\_\_\_. From the appropriation made for Centers of Excellence in Section 2, Title II-1.4, Chapter 14 of the Public Acts of 1984, First Extraordinary Session, there is appropriated the sum of two hundred thousand dollars (\$200,000) to Austin Peay State University for the sole purpose of developing a Center of Excellence in applied health sciences. The funds for the appropriation made in this item shall be generated by reducing the sum allocated to each of the other Centers of Excellence programs by two percent (2%). The appropriation made in this item is subject to the approval of the State Board of Regents.

**AND FURTHER AMEND** by adding a new item at the end of Section 11:

Item( ). The amount of refunds approved on or before June 30, 1984 by the Commissioner of Revenue for franchise and excise tax but not paid as of June 30, 1984, shall be carried forward into fiscal year 1984-85.

**AND FURTHER AMEND** by adding the following new item at the end of Section 11:

Item \_\_\_\_\_. From the funds made available in this Act to the State Building Commission and/or to the Department of Finance and Administration, there is hereby allocated a sum sufficient to conduct a study on the feasibility and cost analysis of constructing an athletic stadium which would be used by affected Higher Educational institutions in Davidson County. This study shall be conducted by representatives of the affected Higher Educational institutions, representatives of Metropolitan Government - Davidson County, and such other persons as the State Building Commission shall designate. Such committee shall report its findings and recommendations to the State Building Commission within one year.

Respectfully submitted,

**FOR THE SENATE:**

Sen. Ben Atchley

Sen. Robert O. Burleson

**FOR THE HOUSE:**

Rep. John T. Bragg

Rep. Harper Brewer

|                                 |                          |
|---------------------------------|--------------------------|
| Sen. Riley C. Darnell           | Rep. Steve Cobb          |
| Sen. Leonard C. Dunavant        | Rep. David Y. Copeland   |
| Sen. Thomas J. Garland          | Rep. Lois M. DeBerry     |
| Sen. Milton H. Hamilton, Jr.    | Rep. James M. Henry      |
| Sen. Douglas Henry, Jr.         | Rep. James R. McKinney   |
| Sen. John T. Hicks              | Rep. Ted Ray Miller      |
| Sen. Carl R. Moore              | Rep. Ed Murray           |
| Sen. Anna Belle Clement O'Brien | Rep. Jimmy Naifeh        |
| Sen. John R. Rucker             | Rep. Shelby R. Rhinehart |
| Sen. Avon N. Williams           | Rep. Loy L. Smith        |

Mr. Henry moved that the Report of the Conference Committee on Senate Bill No. 1911 be adopted and made the action of the House, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 94 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, Senate Bill No.:

2171--To regulate issuance, special license plates.

The Senate adopted the Conference Committee Report and made it

the action of the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL 2171**

The House and Senate Conference Committee appointed pursuant to motions to resolve differences between the two houses on Senate Bill 2171/House Bill 2204 have met and recommend that Senate amendments 1, 2, and 4 and House amendments 1, 2, and 5 be adopted; House amendments 4, 6, and 8 be deleted; and that the following section be added to the bill in substitution for Senate amendment 3 and House amendment 3, which amendments then be deleted, to wit:

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 55-4-111, is amended in subsection (a), Class (E) by deleting the figures "8.50" and substituting instead the figures "10.00".

Tennessee Code Annotated, Section 55-4-111, is further amended by deleting subsection (b) in its entirety and substituting instead the following:

(b) Upon receipt of an application on a form prescribed by the commissioner, applying for registration and certifying that the motor vehicle for which registration is being applied is an "antique motor vehicle", the commissioner may issue license plates to owners of antique motor vehicles in accordance with the provisions of Part 2 of this chapter. For the purpose of this section, an "antique motor vehicle" is a motor vehicle over thirty (30) years old with a non-modified engine and body which is used for participation in club activities, exhibits, tours, parades, and similiar uses as a collector's item, but is in no event used for general transportation, and which is registered to a person who is a member of an antique automobile or motor vehicle club or association.

Registration issued hereunder shall be valid for a period of five (5) years from the date of registration. The registration year shall run from April 1st in one year until the last day of March in the next year, and the first registration period hereunder shall be from March 1, to March 31, 1985. All prior antique motor vehicle registrations shall be void on March 31, 1985.

Any person violating the provisions of this section, or operating an antique motor vehicle for general transportation purposes, shall forfeit such antique motor vehicle registration, shall be liable for the regular registration fee for that vehicle, and shall be barred from applying for or holding antique motor vehicle registration for five (5) years from the date of



such violation.

Respectfully submitted this the 23rd day of May, 1984.

**FOR THE SENATE**

Senator Steve Cohen  
Senator Bob Burleson  
Senator James Kyle

**FOR THE HOUSE**

Representative Robert Gafford  
Representative Mayo Wix  
Representative Ray Clark

Mr. Gafford moved that the Report of the Conference Committee on Senate Bill No. 2171 be adopted and made the action of the House, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 85 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--85.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1795--To provide bond issue, certain State departments.

The Senate lifted the tabling motion; reconsidered passage of the bill, adopted Amendment No. 7, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 1795--To provide bond issue, certain State departments.

**SENATE AMENDMENT NO. 3**

Amend House Amendment Number 2 by deleting subparagraph (2) in its entirety and inserting in lieu thereof:

(2) Seventy-five percent (75%) federal matching funds specifically designated for the Pellissippi Parkway project have been authorized.

**SENATE AMENDMENT NO. 4**

Amend House Bill No. 1795 by deleting sub-paragraph (b) of item 3 of section 4 in its entirety.

and further amend sub-paragraph (a) of item 3 of section 4 by deleting the words and figures "Twenty-six million two hundred twenty seven thousand dollars (\$26,227,000.00)" and substituting in lieu thereof the following:

"Thirty-eight million two hundred twenty seven thousand dollars (\$38,227,000.00)"

**SENATE AMENDMENT NO. 6**

Amend House Bill No. 1795 by adding the following language at the end of subdivision (b) of item 9 in Section 4:

Provided, however, that such funds shall not be released until the following conditions are met:

(1) The commissioner of finance and administration approves such release;

(2) Substantial federal funds specifically designated for the Pellissippi Parkway project have been authorized, but not less than fifty percent (50%) federal matching funds unless authorized by legislative action; and

(3) The route of the Pellissippi Parkway has been established after all required public hearing and environmental impact statement requirements have been fulfilled and approval of such route by the federal government.

**SENATE AMENDMENT NO. 7**

Amend House Bill No. 1795 by deleting the amendatory language at the end of subdivision (b) of Item 9 in Section 4 in its entirety which reads:

Provided, however, that such funds shall not be released until the following conditions are met:

(1) The commissioner of finance and administration approves such release;

(2) Seventy-five percent (75%) federal matching funds specifically designated for the Pellissippi Parkway project have been authorized;

(3) The route of the Pellissippi Parkway has been established after all required public hearing and environmental impact statement requirements have been fulfilled and approval of such route by the federal government; and

(4) Federal funds in a sum sufficient to pay the first year's obligation of principal and interest on the amount of bonds to be issued has been deposited in the sinking fund.

Provided, however, that such funds shall not be released until the following conditions are met:

(1) The commissioner of finance and administration approves such release;

(2) Substantial federal funds specifically designated for the Pellissippi Parkway project have been authorized, but not less than fifty percent (50%) federal matching funds unless authorized by legislative action; and

(3) The route of the Pellissippi Parkway has been established after all required public hearing and environmental impact statement requirements have been fulfilled and approval of such route by the federal government.

By further amending by adding the amendatory language at the end of subsection (b) of Item 9 in Section 4 which reads:

Provided, however, that such funds shall not be released until the following conditions are met:

(1) The Commissioner of finance and administration approves such release;

(2) Substantial federal funds specifically designated for the Pellissippi Parkway project have been authorized, but not less than fifty percent (50%) federal matching funds unless authorized by legislative action; and

(3) The route of the Pellissippi Parkway has been established after all required public hearing and environmental impact statement requirements have been fulfilled and approval of such route by the federal government.

Mr. Henry moved that the House concur in Senate Amendments Nos. 3, 4, 6 and 7.

Mr. McKinney requested a division of the question on Amendment No. 4.

Mr. McKinney moved that the motion to concur in Amendment No. 4 be tabled which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 51 |
| Noes . . . . . | 34 |

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Byrd, Clark (Davidson), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Duer, Ellis, Gafford, Gaia, Gill, Hillis, Jared, Johnson, Jones, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, Murphy, Murray, Naifeh, Napier, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Wheeler, Wix, Work, Yelton and Mr. Speaker McWherter--57.

Representatives voting no were: Anderson, Atchley, Bewley, Chiles, Clark (Sumner), Crain, Drew, Elsea, Ford, Frensley, Harrill, Hassell, Henry, Hudson, Hurley, Kent, McNally, Miller, Montgomery, Moody, Moore (Shelby), Nance, Owen, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Smith, Webb, Whitson, Williams, Wolfe and Wood--34.

Mr. Henry renewed his motion that the House concur in Senate Amendments Nos. 3, 6 and 7, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 83 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Pickering, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--83.

A motion to reconsider was tabled.

Mr. Henry moved that the House non-concur in Senate Amendment No. 4, which motion prevailed.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill No.:

1795--To provide bond issue, certain state departments.

Senate lifted tabling motion, reconsidered passage of bill, reconsidered adoption of Amendment No. 4, withdrew the amendment and repassed the bill on third and final consideration, as amended.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill No.:

2313--To authorize certain persons, vote in elections, special school districts; substituted for Senate Bill on same subject, amended, and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 2313--To authorize certain persons, vote in elections, special school districts.

**SENATE AMENDMENT NO. 1**

Amend House Bill No. 2313 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall only apply in counties having a population of not less than 21,250 nor more than 28,300 according to the 1980 federal census or any subsequent federal census.

Mr. Speaker McWherter moved that the House non-concur in Senate Amendment No. 1, which motion prevailed.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill No.:

2313--To authorize certain persons, vote in elections, special school districts.

The Senate lifted the tabling motion, reconsidered passage of bill, reconsidered adoption of Senate Amendment No. 1, withdrew the amendment & repassed the bill on 3rd & final consideration.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

2030--To create Tennessee Claims Commission.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL NO. 2030**

The House and Senate Conference Committee appointed pursuant to motions to resolve differences between the two houses on Senate Bill No. 2030/House Bill No. 1978 have met and recommend the following: that Senate amendments 1, 2, and 4 be adopted; that Senate Amendment 3 and House Amendment 1 be deleted; and the bill be further amended by deleting Section 2 in its entirety and by substituting in lieu thereof the following:

SECTION 2. Commissioners shall be appointed by the governor with confirmation by resolution of both houses of the General Assembly for staggered terms of three (3) years. The initial terms shall be as follows: The commissioner from the Eastern Division shall serve a one (1) year term; the commissioner from the Middle Division shall serve a two (2) year term; and the commissioner from the Western Division shall serve a three (3) year term. Provided, any commissioner appointed by the governor prior to the adjournment of the first regular session of the Ninety-Fourth General Assembly shall not take office or hear any claim until confirmed in accordance with the provisions of this section. Each commissioner shall have resided in the grand division from which he is appointed for one (1) year prior to his appointment, reside in Tennessee for five (5) years prior to his appointment, and be licensed to practice law in Tennessee for at least five (5) years prior to his appointment. They shall be eligible for reappointment. The commission shall designate one (1) of its members to serve as chairman.

IT IS FURTHER RECOMMENDED that the bill be amended by adding the following language at the end of Section 4(a):

Provided, the board of claims shall appoint an administrative clerk to the claims commission who shall serve until the three-member claims commission appoints a replacement.

IT IS FURTHER RECOMMENDED that the bill be amended by deleting the words "executive secretary" wherever they appear and by substituting in lieu thereof "administrative clerk".

**FOR THE SENATE**

**FOR THE HOUSE**

Sen. William H. Ortwein

Rep. James R. McKinney

Sen. Curtis Person, Jr.

Rep. Michael D. Murphy

Sen. John R. Rucker

Rep. Dennis M. (Mike) Robertson

Mr. Murphy moved that the Report of the Conference Committee on Senate Bill No. 2030 be adopted and made the action of the House, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 81 |
| Noes . . . . . | 0  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, Miller, Montgomery, Moody, Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--81.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1643--To regulate inheritance taxes; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**HOUSE BILL ON SENATE AMENDMENT**

House Bill No. 1643--To regulate inheritance tax.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1643 by adding the following immediately below the phrase "In 1986" in Section 1:

|         |         |
|---------|---------|
| In 1987 | 150,000 |
| In 1988 | 250,000 |
| In 1989 | 350,000 |
| In 1990 | 600,000 |

is further amended by deleting the numbers "1986" in the last sentence of Section 1 and substituting instead the numbers "1990".

is further amended by deleting the directory language in Section 2 in its entirety and substituting the following:

Tennessee Code Annotated Section 67-8-314 is amended by adding the following immediately following the present class B tax rates:

is further amended by deleting the words and numbers "July 1, 1984 but before January 1, 1985" in part 1 of Section 2 and substituting instead the numbers "1986".

is further amended by deleting the numbers "1985" in part 2 of Section 2 and substituting instead the numbers "1987 or 1988".

is further amended by deleting the numbers "1986" from part 3 of Section 2 and substituting instead the numbers "1989 or 1990".

Mr. Cobb moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

|                |    |
|----------------|----|
| Ayes . . . . . | 82 |
| Noes . . . . . | 1  |

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--82.



Representative voting no was: Chiles--1.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to notify the House, that on Senate Bill No.:

4--To regulate age, possession of alcoholic beverages.

The Conference Committee could not reach agreement on the bill. The Senate reconsidered action in non-concurring in House Amendments Nos. 6, 10 as amended and 15 as amended, and concurred in the amendments.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill No.:

440--To make certain provisions, bonded, indebtedness; substituted for Senate Bill on same subject, amended, and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos.:

1714--To set date, election of superintendent of public instruction, Hamilton County;

2223--To regulate Chattanooga-Hamilton County Hospital Authority; both passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE GOVERNOR**

**MR. SPEAKER:**

I am directed by the Governor to return herewith: House Bill No. 1955, with his approval.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolution No:

559--Relative to amending Constitution of Tennessee to authorize lotteries, substituted for Senate Joint Resolution on same subject.

The resolution passed three readings in the Senate by a roll call vote in accordance with Article XI, Section 3, Constitution of the State of Tennessee.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolutions Nos.:

570--Relative to amending Constitution of Tennessee, expenses of General Assembly, substituted for Senate Joint Resolution on same subject.

The resolution passed three readings in the Senate by a roll call vote in accordance with Article XI, Section 3, Constitution of the State of Tennessee.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos.:

511--To make certain provisions, bail;

655--To amend Title 8, Chapter 20, Code;

1451--To regulate transporting alcoholic beverages;

1542--To regulate kidnapping certain minors, certain circumstances;

1585--To regulate assessment of property;

1594--To provide payment for boarding of jurors;

1638--To increase fees, certain operators' and chauffeurs' licenses;

1732--To provide for bonds, Housing Development Agency;

- 1863--To require notice for bids by advertisement;
- 2000--To appropriate funds, agricultural research;
- 2001--To increase compensation, highway patrol;
- 2177--To provide for protective vests, state troopers;
- 2183--To increase distribution of funds, certain municipalities;
- 2189--To declare legal holiday honoring Martion Luther King, Jr.;
- 2219--To provide for funding, criminal injuries compensation program;
- 2296--To regulate municipal zoning, certain counties;

2311--To authorize county election commission to split precincts; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

### **ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1213, 1503, 1721 and 2078; and House Joint Resolutions Nos. 547 and 553; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

### **SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 1213, 1503, 1721 and 2078; House Joint Resolutions Nos. 547 and 553.

### **MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolutions Nos.:

- 289--Relative to study, liability, certain school employees;
- 401--Relative to study, soil erosion and wetlands protection;
- 408--Relative to study, "Right-to-know" laws, hazardous substances;

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- 472--Relative to study, procedure for confirmation, various public positions;
- 523--Relative to study, legislative complex security;
- 531--Relative to study, Health Facilities Commission;
- 555--Relative to recognizing 40th birthday of Smokey Bear;
- 565--Relative to honoring Representative Elmer W. Disspayne, Sr.;
- 590--Relative to honoring Senator Howard Baker;
- 591--Relative to congratulating Mr. and Mrs. Cary Grieve;
- 592--Relative to memory, Reverend Nikiforos Maximos;
- 593--Relative to honoring Jim Prentiss;
- 594--Relative to congratulating Sabrina Keeton;
- 595--Relative to congratulaing Union City High School baseball team;
- 596--Relative to honoring Grisanti's Restaurant;
- 597--Relative to honoring Representative Mike Robertson; all all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

### **INTRODUCTION OF RESOLUTIONS**

House Resolution No. 161--Relative to designating the "Dr. J.L. Rogers Memorial Bridge"--By Hurley.

The Speaker referred House Resolution No. 161 to the Committee on Calendar and Rules.

House Resolution No. 162--Relative to maintaining Archie Campbell Birthplace, Bulls Gap--By Hurley.

The Speaker referred House Resolution No. 162 to the committee on Calendar and Rules.

House Resolution No. 588--Relative to reviewing rules and regulations, Fire Marshal's office--By Kelley, Wallace and Mr. Speaker McWherter.

The Speaker referred House Resolution No. 588 to the Committee on Calendar and Rules.

**BILLS WITHDRAWN**

On motion of Mr. Murphy, House Bill No. 2017 was recalled from the Committee on Judiciary.

On motion of Mr. Murphy, House Bill No. 2017 was withdrawn from the House.

On motion of Mr. Dills, House Bill No. 55 was recalled from the Committee on Education.

On motion of Mr. Dills, House Bill No. 55 was withdrawn from the House.

On motion of Mr. Dills, House Bills Nos. 57, 215, 230 were recalled from the Committee on Judiciary.

On motion of Mr. Dills, House Bill No. 57, 215 and 230 were withdrawn from the House.

On motion of Mr. Dills, House Bill No. 606, 1040, 1691 and 2223 were recalled from the Committee on State and Local Government.

On motion of Mr. Dills, House Bills Nos. 606, 1040, 1691 and 2223 were withdrawn from the House.

On motion of Mr. Dills, House Bill No. 1443 was recalled from the Committee on Conservation and Environment.

On motion of Mr. Dills, House Bill No. 1443 was withdrawn from the House.

On motion of Mr. Dills, House Bill No. 1587 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Dills, House Bill No. 1587 was withdrawn from the House.

On motion of Mr. Dills, House Bill No. 2222 was recalled from the Committee on General Welfare.

On motion of Mr. Dills, House Bill No. 2222 was withdrawn from the House.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition.

House Bill No. 1542--Severance

House Bill No. 2189--Dixon, Pruitt, Love, Withers

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed by the Senate to notify the House that the Senate has completed its business and is ready to adjourn sine die in accordance with Senate Joint Resolution No. 220.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**SELECT COMMITTEE APPOINTMENTS**

The Speaker announced that he had appointed the following committee to notify the Senate that the House had completed its business for this session and was ready to adjourn sine die: Representative Naifeh, Chairman; Messrs. Kisber, DeBerry, Bivens, Wood, Montgomery, Clark (Sumner) and Drew.

The Speaker announced that he had appointed the following committee to notify the Governor that the House had completed its business for this session and was ready to adjourn sine die: Representative Disspayne, Chairman; Messrs. Hudson, Sir, Davis (Pickett), Anderson, Ford, Wallace, Robertson, Smith and Williams.

**REPORT OF SELECT COMMITTEES**

Representative Naifeh advised the House that the Senate had been notified that the House had completed its business for this session and was ready to adjourn sine die.

Representative Disspayne advised the House that the Governor had been notified that the House had completed its business for this session and was ready to adjourn sine die, and that the Governor stated that he had no further communications to transmit to the House.

Senator Rochelle advised the House that the Senate had completed its business for this session and was ready to adjourn sine die.

**ARTICLE III, SECTION 18**

All bills and joint resolutions presented to the Governor subsequent to May 14, 1984, being within ten days of the adjournment of the Second Regular Session of the Ninety-Third General Assembly, prevents the return of said bills and joint resolutions to the House within the ten day period, and accordingly, the final action taken by the Governor will be filed by him in the Secretary of State's Office, all in compliance with Article III, Section 18, relating to the Governor's veto power, of the Constitution of the State of Tennessee.

**JOURNAL APPROVED**

On motion of Mr. Naifeh, the Journal of the House of Representatives and the proceedings thereof were approved from the

Forty-second through the Eighty-first Legislative Day of the Second Regular Session.

Thereupon, in accordance with Senate Joint Resolution No. 220, Mr. Speaker McWherter declared the House of Representatives of the Ninety-Third General Assembly adjourned sine die.

**BILLS AND RESOLUTIONS ENROLLED, SIGNED AND  
TRANSMITTED TO GOVERNOR SUBSEQUENT  
TO ADJOURNMENT SINE DIE**

**MAY 24, 1984**

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution No. 590; and find same correctly enrolled and ready for the signatures of the Speakers.

**MARILYN EVELYN HAND,  
Chief Engrossing Clerk.**

**MAY 24, 1984**

**SIGNED**

The Speaker announced that he had signed the following: House Joint Resolution No. 590.

**MAY 25, 1984**

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolution No. 590; signed by the Speaker.

**CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.**

**MAY 25, 1984**

**REPORT OF CHIEF ENGROSSING CLERK**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution No. 590; for his action.

**MARILYN EVELYN HAND,  
Chief Engrossing Clerk.**

**MAY 25, 1984**

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos. 1329, 1507, 1575, 1728, 1783, 1810, 1837, 1845, 1891, 1930, 2047, 2050, 2066, 2083 and 2243; also, Senate Joint Resolutions Nos. 229, 230, 231, 232, 233, 234, 235, 237, 238, 239, 241, 242, 243, 245, 246, 250 and 253; all for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MAY 25, 1984**

**SIGNED**

The Speaker announced that he had signed the following: Senate Bills Nos. 1329, 1507, 1575, 1728, 1783, 1810, 1837, 1845, 1891, 1930, 2047, 2050, 2066, 2083 and 2243; and Senate Joint Resolutions Nos. 229, 230, 231, 232, 233, 234, 235, 237, 238, 239, 241, 242, 243, 245, 246, 250 and 253.

**MAY 25, 1984**

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 511, 655, 1169, 1436, 1451, 1548, 1581, 1585, 1603, 1605, 1638, 1677, 1732, 1863, 1900, 2000, 2001, 2032, 2147, 2177, 2183, 2219 and 2296; House Resolutions Nos. 148 and 169; and House Joint Resolutions Nos. 355, 472, 497, 523, 531, 549, 552, 555, 557, 558, 559, 563, 570, 576, 579 and 594; and find same correctly enrolled and ready for the signatures of the Speakers.

**MARILYN EVELYN HAND,**  
Chief Engrossing Clerk.

**MAY 25, 1984**

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1622, 1643, 1849, 1965, 1975, 2063, 2181 and 2189; House Resolution No. 174; and House Joint Resolutions Nos. 15, 136, 177, 189, 197, 289, 401, 551, 554, 568, 569, 571, 574, 575, 577, 578, 581, 589 and 593; and find same correctly



enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**MAY 29, 1984**

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1256, 1542, 1594, 1654, 1795, 1977, 2141, 2301, 2304, 2311 and 2313; House Resolution No. 173; and House Joint Resolutions Nos. 275, 408, 556, 557, 565, 566, 591, 592, 595, 596 and 597; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**MAY 29, 1984**

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 511, 655, 1169, 1256, 1436, 1451, 1542, 1548, 1581, 1585, 1594, 1603, 1605, 1622, 1638, 1643, 1654, 1677, 1732, 1795, 1849, 1863, 1900, 1965, 1975, 1977, 2000, 2001, 2032, 2063, 2141, 2147, 2177, 2181, 2183, 2189, 2219, 2296, 2301, 2304, 2311 and 2313; and House Resolutions Nos. 148, 169, 173 and 174; and House Joint Resolutions Nos. 15, 136, 177, 189, 197, 275, 289, 355, 401, 408, 472, 497, 523, 531, 549, 551, 552, 554, 555, 556, 557, 558, 559, 563, 565, 566, 568, 569, 570, 571, 574, 575, 576, 577, 578, 579, 581, 589, 591, 592, 593, 594, 595, 596 and 597.

**MAY 2, 1984**

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos. 122, 137, 145, 178, 247, 284, 497, 846, 1213, 1481, 1486, 1503, 1523, 1637, 1696, 1721, 2061, 2078, 2210, 2213, 2294, 2299, 2300, 2303, 2305 and 2308; also, House Joint Resolutions Nos. 265, 271, 273, 286, 317, 330, 336, 430, 432, 454, 469, 480, 492, 502, 515, 537, 538, 542, 543, 544, 547, 548, 550, 553, 562, 564, 567, 572, 573, 580, 582, 583, 584, 585 and 586; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MAY 29, 1984**

**REPORT OF CHIEF ENGROSSING CLERK**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 122, 137, 145, 178, 247, 284, 497, 846, 1213, 1481, 1486, 1503, 1523, 1637, 1696, 1721, 2061, 2078, 2210, 2213, 2294, 2299, 2300, 2303, 2305 and 2308; and House Joint Resolutions Nos. 265, 271, 273, 286, 317, 330, 336, 430, 432, 454, 469, 480, 492, 502, 515, 537, 538, 542, 543, 544, 547, 548, 550, 553, 562, 564, 567, 572, 573, 580, 582, 583, 584, 585 and 586; for his action.

**MARILYN EVELYN HAND,**  
Chief Engrossing Clerk.

**MAY 29, 1984**

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos. 511, 655, 1169, 1256, 1436, 1451, 1542, 1548, 1581, 1585, 1594, 1603, 1605, 1622, 1638, 1643, 1654, 1677, 1732, 1795, 1849, 1863, 1900, 1965, 1975, 1977, 2000, 2001, 2032, 2063, 2141, 2147, 2177, 2181, 2183, 2189, 2219, 2296, 2301, 2304, 2311 and 2313; also, House Joint Resolutions Nos. 15, 136, 177, 189, 197, 275, 289, 355, 401, 408, 472, 497, 523, 531, 549, 551, 552, 554, 555, 556, 557, 558, 559, 563, 565, 566, 568, 569, 570, 571, 574, 575, 576, 577, 578, 579, 581, 589, 591, 592, 593, 594, 595, 596 and 597; all signed by the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MAY 29, 1984**

**REPORT OF CHIEF ENGROSSING CLERK**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 511, 655, 1169, 1256, 1436, 1451, 1542, 1548, 1581, 1585, 1594, 1603, 1605, 1622, 1638, 1643, 1654, 1677, 1732, 1795, 1849, 1863, 1900, 1965, 1975, 1977, 2000, 2001, 2032, 2063, 2141, 2147, 2177, 2181, 2183, 2189, 2219, 2296, 2301, 2304, 2311 and 2313; and House Joint Resolutions Nos. 15, 136, 177, 189, 197, 275, 289, 355, 401, 408, 472, 497, 523, 531, 549, 551, 552, 554, 555, 556, 557, 558, 559, 563, 565, 566, 568, 569, 570, 571, 574, 575, 576, 577, 578, 579, 581, 589, 591, 592, 593, 594, 595, 596 and 597; for his action.

**MARILYN EVELYN HAND,**  
Chief Engrossing Clerk.

**MAY 29, 1984**

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos. 18, 100, 374, 978, 1273, 1308, 1379, 1388, 1421, 1462, 1699, 1990, 2092, 2124, 2151, 2159, 2207, 2270 and 2276; also, Senate Joint Resolutions Nos. 138, 148, 154, 166, 190, 196, 211, 215, 216, 218, 222, 224, 240, 247, 249, 254, 255 and 258; all for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MAY 29, 1984**

**SIGNED**

The Speaker announced that he had signed the following: Senate Bills Nos. 18, 100, 374, 978, 1273, 1308, 1379, 1388, 1421, 1462, 1699, 1990, 2092, 2124, 2151, 2159, 2207, 2270 and 2276; and Senate Joint Resolutions Nos. 138, 148, 154, 166, 190, 196, 211, 215, 216, 218, 222, 224, 240, 247, 249, 254, 255 and 258.

**MAY 30, 1984**

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos. 4, 689, 1386, 1476, 1838 and 2158; all for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MAY 31, 1984**

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos. 1298, 1465, 1730, 1935, 2030 and 2171; all for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MAY 31, 1984**

**SIGNED**

The Speaker announced that he had signed the following: Senate Bills Nos. 4, 689, 1298, 1386, 1465, 1476, 1730, 1838, 1935, 2030, 2158 and 2171.

**JUNE 1, 1984**

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill No. 1911; for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**JUNE 1, 1984**

**SIGNED**

The Speaker announced that he had signed the following: Senate Bill No. 1911.

**NED R. McWHERTER, Speaker**  
House of Representatives

**ATTEST:**

**DAVID H. WELLES**  
Acting Chief Clerk  
House of Representatives

Appendix of House Bills and House Joint Resolutions presented to the Governor with his action thereon as recorded in the Office of the Secretary of State, in accordance with Article III, Section 18 of the Constitution of the State of Tennessee.

**MESSAGES FROM GOVERNOR TO SECRETARY OF STATE**

**MAY 25, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Bills Nos. 769, 1057, 1374, 1398, 1422, 1489, 1593, 1733, 1734, 1738, 1783, 1784, 1812, 1815, 1858, 1862, 1877, 1885, 1892, 1913, 1979, 2023, 2025, 2051, 2057, 2059, 2076, 2079, 2114, 2119, 2157, 2170, 2171, 2192, 2200, 2201, 2203, 2207, 2272, 2276, 2277, 2278, 2279, 2280, 2291, 2292, 2293, 2295 and 2297; and House Joint Resolutions Nos. 60, 167, 214, 276, 282, 293, 305, 319, 435, 503, 512, 516, 517, 518, 519, 520, 521, 522, 524, 525, 526, 529, 530, 533, 534, 535, 536, 539, 541, 545, 546, 560 and 561, with his approval.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**MAY 29, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Joint Resolution No. 210, without his signature.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

House Joint Resolution No. 210 becomes effective without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

**MAY 29, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Joint Resolution No. 288, without his signature, separate message attached.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

Dear Mr. Secretary of State:

I am returning House Joint Resolution No. 288 without my signature. It is my general practice to permit resolutions expressing the opinions of the General Assembly to Congress to become law without my signature.

Sincerely,

Lamar Alexander

House Joint Resolution No. 288 becomes effective without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

**MAY 29, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Joint Resolution No. 590, with his approval.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**MAY 31, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Bills Nos. 122, 137, 145, 178, 284, 511, 655, 1256, 1445, 1451, 1542, 1581, 1605, 1637, 1696, 1721, 1849, 1863, 1975, 2063, 2140, 2177, 2210, 2299, 2300, 2301, 2303, 2305 and 2308; and House Joint Resolution No. 15, with his approval.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**JUNE 1, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Bills Nos. 1603 and 1977, with his approval.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**JUNE 4, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Joint Resolution No. 571, with his approval.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**JUNE 4, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Bill No. 2146, with his veto, separate message attached.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**Dear Mr. Secretary:**

I am returning House Bill No. 2146/Senate Bill No. 2062 with my veto.

This legislation seeks to make permanent, sweeping changes in Tennessee's workers' compensation laws.

I cannot approve the bill because it contains uncertainties that could damage Tennessee's prospects for attracting new business investments that produce new jobs.

Some changes in our present system of benefits are clearly needed. Representatives of business and labor have worked together for 20 months to try to agree on what those changes should be. Their good work solved satisfactorily many of the issues, but they did not solve enough issues in a way that makes sure that Tennessee will be an attractive center for new jobs in the 1980's. There are substantial questions remaining about the cost of indexing provisions in the bill. In addition, there are other concerns about this bill's new standard of judicial review and its medical cost containment provisions.

The Legislature has authorized a new committee to study the State's workers' compensation laws. I fully support this committee. To complement its work, I have asked Commissioner Hubert McCullough of the Department of Finance and Administration to head a Cabinet working group including Commissioner Francis Guess of the Department of Labor, Commissioner William Long of the Department of Economic and Community Development, Commissioner Tom Yount of the Department of Employment Security and William Inman, Counsel to the Governor, to assist the Legislature in preparing proper legislation for the next legislative session.

This year's work should provide a good basis for a better, permanent solution next year.

Sincerely,

Lamar Alexander

**JUNE 5, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Bills Nos. 1169, 1213, 1436, 1486, 1677, 2001, 2061, 2183, 2213, 2294, 2296, 2311 and 2313; and House Joint Resolutions Nos. 136, 469, 497 and 515, with his approval.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**JUNE 5, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Bills Nos. 2093 and 2198; and House Joint Resolutions Nos. 294 and 418; without his signature, separate message attached on HJR 418.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**THURSDAY, MAY 24, 1984--81st LEGISLATIVE DAY**

Dear Mr. Crowell:

I am returning House Joint Resolution No. 418 without my signature. It is my general practice to permit resolutions expressing the opinions of the General Assembly to the Interstate Commerce Commission to become law without my signature.

Sincerely,

Lamar Alexander

House Joint Resolution No. 418 becomes effective without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

**JUNE 5, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Bill No. 1594, with his approval.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**JUNE 5, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Bill No. 2189, with his approval.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**JUNE 5, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Bill No. 1548, with his approval.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**JUNE 6, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Bills Nos. 247, 846, 1481, 1503, 1523, 1585, 1643, 1654, 1732, 1900, 2032, 2078, 2147, 2181, 2219 and 2304; and House Joint Resolutions Nos. 177, 189, 197, 273, 275, 286, 289, 317, 330, 336, 355, 401, 408, 430, 432,



472, 523, 531, 537, 538, 542, 543, 544, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 562, 563, 564, 565, 566, 567, 568, 569, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 589, 591, 592, 593, 594, 595, 596 and 597, with his approval.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**JUNE 6, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Joint Resolution No. 454, with his approval, separate message attached.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

Dear Mr. Secretary:

The Legislature, like the Administration, has been interested in developing more jobs for inmates housed in our prisons. I commend the Legislature for its interest in this issue and its desire to help develop constructive responses.

During the past session, the Legislature passed House Joint Resolution No. 454 which called upon the Department of Correction to study the feasibility of establishing a program to use inmate labor to repair school buses and other governmental vehicles. I fully support this resolution and have directed the Department of Correction to complete this study as soon as possible and report back to the Legislature. I have signed this resolution and have directed the Department of Correction to complete this study by January 1, 1985 and make its report to the Legislature at that time. There is not enough time to complete the study and submit it to the United States District Court this month.

Because the Department of Correction will be conducting the study required by House Joint Resolution No. 454, I have vetoed Senate Bill No. 1783/House Bill No. 1541. It is unnecessary because it authorizes the Commissioner of Correction to establish a work program using inmates to repair school buses and other governmental vehicles.

The Administration and the Legislature may wish to consider this proposal again next year when it will have the benefit of the Department's feasibility study.

Sincerely,

Lamar Alexander

JUNE 6, 1984

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bill No. 1965, with his approval, separate message attached.

WILLIAM C. KOCH, JR.,  
Counsel to the Governor.

Dear Mr. Secretary:

I am returning House Bill No. 1965/Senate Bill No. 1914 with my signature in recognition of the importance of addressing the question of elementary school guidance counselors. However, I am separately deleting the item in the appropriation bill for this purpose, because I do not agree with the approach to the study that is called for there.

This is an important question that came up late in the session. While it was not recommended by the General Assembly's Select Committee on Education, I agree with the legislature that it needs serious attention.

I do not agree that it is necessary to hire some guidance counselors in order to determine whether hiring more guidance counselors is a good idea. State and local education agencies in Tennessee already provide a total of 72 counselors for students in grades K-6. An additional 130 are employed in grades 7-8. Also, there must be a wealth of information in other states about the merits of elementary guidance counselors.

Before we launch a multimillion-dollar education program such as this, we should know as best we can what its benefits will be and what it will cost compared with other important education programs. We will work to achieve the stated goal of this legislation by conducting a thorough and timely study for the legislature's consideration. Commissioner McElrath will ask the State Board of Education to use funds already appropriated to it for research to conduct such a study and to make a preliminary report to the 94th General Assembly.

Sincerely,

Lamar Alexander

JUNE 7, 1984

MR. SECRETARY OF STATE:

I am directed by the Governor to return herewith: House Bills Nos. 497 and 1638, with his veto, separate message attached.

WILLIAM C. KOCH, JR.,  
Counsel to the Governor.

Dear Mr. Secretary:

I am returning House Bill No. 497/Senate Bill No. 471 with my veto.

The purpose of this bill is to increase the size of the Prevailing Wage Commission. The Commission has been performing its duties in a competent and professional manner. Increasing its size will not add to its effectiveness.

Sincerely,

Lamar Alexander

Dear Mr. Secretary:

I am returning House Bill No. 1638/Senate Bill No. 1647 with my veto.

This bill would decrease the drivers' license fees for some motorists through a complicated system of credits on the purchase of new licenses.

If the Legislature is going to insist -- over my objections -- on requiring a drivers' license photograph, then I should insist that the Legislature raise enough money to pay for the orderly implementation of the program.

The Department of Safety has done a good job of reducing the inconveniences of the program. The department's projections show that all funds presently generated from the sale of drivers licenses will be needed to avoid long lines and other programs and to continue to pay for the police pay supplement.

Sincerely,

Lamar Alexander

**JUNE 7, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Bills Nos. 2000 and 2141, with his veto, separate message attached.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

Dear Mr. Secretary:

I am returning House Bill No. 2000/Senate Bill No. 1727 with my veto.

The purpose of this bill is to establish two new positions at Tennessee Technological University and five new positions at the University of Tennessee for agricultural research and extension

service programs relating to fruit production, nursery research, turf research and ornamental horticultural extension services.

While these programs may be beneficial to our State's agricultural development, I am vetoing all recurring items that are outside the comprehensive recommendation of the Tennessee Higher Education Commission. The Legislature has already appropriated more than \$87 million in new operating funds and \$83.4 million in cash and capital borrowings for higher education next year. This is on top of the 1983-84 base of about \$403 million. I do not want to go outside of these on-going programmatic improvements. Dollars for on-going programs are scarce, and these items would add further strain on limited revenues in later years. Persons desiring to establish these programs should obtain the Tennessee Higher Education Commission's approval first.

Sincerely,

Lamar Alexander

Dear Mr. Secretary:

I am returning House Bill No. 2141/Senate Bill No. 2126 with my veto.

This bill authorizes the state to borrow \$50 million to construct "Appalachian Highway" (Corridor J) projects. The idea is that, in the long run, it will cost nothing because the federal government will pay the state back through the Appalachian Regional Road Program funds.

The major problem with this bill is that there may very likely not be enough federal Appalachian Highway funds to pay the state back. The United States Congress is considering two different versions of funding for a continued Appalachian Highway Program. Neither version is assured of passage. Our best guess is that Tennessee's share for the next year would be between \$9 and \$10 million.

The second problem is that Tennessee has \$161 million worth of unfinished Appalachian Highway Corridor work. This bill would allocate virtually all the money for the foreseeable future to this single project. This is unfair to other important projects in the state.

The Transportation Department is moving ahead with three Corridor J projects in Soddy Daisy involving State Routes 29 and 27.

The orderly way to deal with these highway needs is as we deal with all other highway needs: on a year-to-year basis the Commissioner of the Department of Transportation makes his recommendations which are reviewed by the Legislature and approved or disapproved.

Sincerely,

Lamar Alexander

**JUNE 7, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Bill No. 1795, with his line item veto.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**Dear Mr. Secretary:**

I am returning House Bill No. 1795/Senate Bill No. 1912 having exercised my authority pursuant to Article III, Section 18 to reduce the total amount of bonds issued from \$83,764,000 to \$71,764,000.

This reduction is required because I have disapproved the allocation of \$12,000,000 in Section 4, Item 3(b) to Tennessee Technological University for the purpose of constructing and equipping a library.

The Legislature this year approved spending \$65 million in cash and \$20.6 in bonds for capital projects on our college and university campuses. It would be unwise to borrow additional funds this year for higher education purposes.

The item would have accelerated funding for the library at Tennessee Tech. It jumps the Tech library project over numerous other recommendations of the Board of Regents for other campuses across the state. This library project has never been a part of the comprehensive THEC capital funding plan.

Adequate library facilities at Tennessee Tech are an important concern, especially in view of the excellent job Tech has been doing to raise academic standards and maintain quality education. However, the library needs even at this outstanding university should also be addressed in a coordinated manner that takes into account the needs at other campuses, some of which the board of Regents and the Tennessee Higher Education Commission have decided are more urgent.

Sincerely,

Lamar Alexander

**JUNE 8, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Joint Resolutions Nos. 559 and 570, without his signature, separate message attached.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

Dear Mr. Crowell,

I am returning House Joint Resolution 559 without my signature, since Article III, Section 18 of the Tennessee Constitution does not allow me to act on it. I am not ready to agree that state-sanctioned gambling makes Tennessee a better place to live.

Sincerely,

Lamar Alexander

House Joint Resolution No. 559 becomes effective without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

Dear Mr. Secretary:

I am returning House Joint Resolution No. 570 without my signature. Article III, Section 18 of the Tennessee Constitution does not permit me to act upon this resolution. If I could act upon it, I would disapprove it.

It will be my recommendation that the next General Assembly abandon the idea of an independent commission setting legislative salaries.

This is part of the legislature's job. The power to increase public spending should not be given away to unelected officials.

Turning this responsibility over to a commission is simply a way to assure a regular pay raise for legislators without their having to vote on it.

There is no evidence whatever that legislators are incapable of seeing to it that they are adequately paid. The legislature raised its pay and its pension this year. A citizen committee recommended the change. I also recommended some upward adjustment in salaries.

With the per diem compensation figured in, legislative pay is now approximately \$24,000 per year. A legislator's pension is about the same as a state employee who retires from a \$30,000 job would earn.

I am afraid that if a provision for automatic pay raises slips into law we will find ourselves with a full-time legislature instead of a part-time citizens' assembly.

Sincerely,

Lamar Alexander

House Joint Resolution No. 570 becomes effective without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

**JUNE 11, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Joint Resolutions Nos. 265, 480, 492 and 502, without his signature, separate messages attached.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**Dear Mr. Crowell:**

I am returning House Joint Resolution No. 265 without my signature. It is my general practice to permit resolutions expressing the opinions of the General Assembly to The Tennessee Valley Authority to become law without my signature.

Sincerely,

Lamar Alexander

**Dear Mr. Crowell:**

I am returning House Joint Resolution No. 480 without my signature. It is my general practice to permit resolutions expressing the opinions of the General Assembly to Congress to become law without my signature.

Sincerely,

Lamar Alexander

**Dear Mr. Crowell:**

I am returning House Joint Resolution No. 492 without my signature. It is my general practice to permit resolutions expressing the opinions of the General Assembly to Congress to become law without my signature.

Sincerely,

Lamar Alexander

**Dear Mr. Crowell:**

I am returning House Joint Resolution No. 502 without my signature. It is my general practice to permit resolutions expressing the

opinions of the General Assembly to Congress to become law without my signature.

Sincerely,

Lamar Alexander

House Joint Resolution Nos. 265, 480, 492 and 502 become effective without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

**JUNE 11, 1984**

**MR. SECRETARY OF STATE:**

I am directed by the Governor to return herewith: House Bill No. 1622; and House Joint Resolution No. 271, without his signature.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

House Bill No. 1622 becomes a law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

House Joint Resolution No. 271 becomes effective without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.